

First Special & Organizational Meeting
January 5, 2017

The First Special and Organizational Meeting of 2017 was called to order by the Legislative Clerk at 1:00 P.M.

The following County Legislators were present:

DISTRICT 1
Richard L. Huttleston

DISTRICT 5
Dennis Mullen

DISTRICT 2
Martha C. Sauerbrey

DISTRICT 6
Dale N. Weston

DISTRICT 3
Michael Roberts

DISTRICT 7
William H. Standing, III
Ed Hollenbeck

DISTRICT 4
Loretta A. Sullivan
Tracy Monell

There were 5 people in attendance.

The Clerk asked Legislator Hollenbeck to have a moment of Prayer. "Could we please have a moment of silence for our brave men and women that serve in our Armed Forces?"

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

County Clerk Andrea Klett swore in Legislator Mullen.

The Clerk announced that the first order of business was the election of a Chair. Legislator Hollenbeck nominated Legislator Sauerbrey, seconded by Legislator Monell. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all members voted Aye and the Clerk cast one ballot and Legislator Sauerbrey was appointed Chair of the Tioga County Legislature for a one year term.

County Clerk Andrea Klett swore Legislator Sauerbrey in as Chair of the Tioga County Legislature for 2017.

Chair Sauerbrey spoke. "I will make this brief and to the point because we have a lot of work to do as we know on the agenda that was sent out earlier. First of all I want to thank everybody for your support and as we all know this is a team effort and together we are responsible for representing our areas, our constituents and then bringing forth and making good decisions to serve the public. I have to say that I am still very excited to come to work every day, I enjoy this work, and I hope that my presence will be a positive influence and we will continue to make a difference and grow and progress in this County. Thank you."

The Chair announced the next order of business was the election of a Deputy Chair. Legislator Sullivan nominated Legislator Roberts, seconded by Legislator Mullen. Legislator Standinger nominated Legislator Weston, seconded by Legislator Roberts. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote, Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, and Standinger voted for Legislator Weston and Legislators Sullivan and Weston voted for Legislator Roberts and the Chair cast one ballot and Legislator Weston was appointed Deputy Chair of the Tioga County Legislature for a one year term.

County Clerk Andrea Klett swore Legislator Weston in as Deputy Chair of the Tioga County Legislature for 2017.

The Chair called for nominations for Public Information Officer. Legislator Monell nominated Douglas Barton, seconded by Legislator Sullivan. Legislator Monell moved to close the nominations, seconded by Legislator Hollenbeck. On roll call vote all Legislators voted for Douglas Barton as Public Information Officer, and the Chair cast one ballot and Douglas Barton was appointed Public Information Officer for a one year term.

The Chair called for nominations for Republican Majority Leader. Legislator Weston nominated Legislator Roberts, seconded by Legislator Mullen. Legislator Monell moved to close the nominations, seconded by Legislator Sullivan. On roll call vote all Legislators voted for Legislator Roberts as Republican Majority Leader, and the Chair cast one ballot and Legislator Roberts was appointed Republican Majority Leader for a one year term.

Chair Sauerbrey asked if there were any disclosures to be made.

Legislator Hollenbeck stated, "I have nothing to disclose."

Legislator Huttleston stated, "I have nothing to disclose."

Legislator Monell stated, "I have nothing to disclose."

Legislator Mullen stated, "I have nothing to disclose."

Legislator Sauerbrey stated, "I have nothing to disclose."

Legislator Roberts stated, "I have nothing to disclose."

Legislator Standinger stated, "I have nothing to disclose."

Legislator Sullivan stated, "I have nothing to disclose."

Legislator Weston stated, "I have nothing to disclose."

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 1-17 *TRIPS AUTHORIZED*

RESOLVED: That the Chair and the Clerk of the County Legislature, the County Attorney, and County Legislators be, and they hereby are, authorized to make such trips as their duties may require and that their actual and necessary expenses for travel, meals and lodging incurred on such trips be a County charge.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 2-17 *DESIGNATION OF OFFICIAL
DEPOSITORIES*

RESOLVED: That, pursuant to the powers vested in this Legislature by Section 212 of the County Law, as amended, the following Banks within New York State be, and they hereby are designated as depositories for the deposit of all monies received by the County Treasurer, to an amount not to exceed the sum set opposite the name of each Bank as follows:

JP Morgan Chase Bank	\$30,000,000
Chemung Canal Trust Company	\$30,000,000
Citizens Bank, N.A.	\$30,000,000
Community Bank, N.A.	\$30,000,000
First Niagara Bank, N.A.	\$30,000,000
Key Bank Corporation	\$30,000,000
M&T Bank	\$30,000,000
Tioga State Bank	\$30,000,000
National Bank and Trust Company, N.A.	\$30,000,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 3-17 *DESIGNATE OFFICIAL NEWSPAPERS*

RESOLVED: That the Tioga County Courier and the Morning Times are hereby designated official newspapers for the publication of all local laws, notices and

other matters required by law to be published pursuant to County Law §214, Subd. 2; and be it further

RESOLVED: That the Press and Sun Bulletin, a daily newspaper, is hereby designated as the official newspaper for purposes of publishing all local laws, notices and other matters required by law to be published at such times that there is insufficient time to publish in the above two newspapers.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 4-17 *DESIGNATION OF NEWSPAPER FOR
REPUBLICAN PARTY*

RESOLVED: That the Morning Times is hereby designated as the newspaper published in the County of Tioga for the Republican Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 5-17 *DESIGNATION OF NEWSPAPER FOR
DEMOCRATIC PARTY*

RESOLVED: That the Tioga County Courier is hereby designated as the newspaper published in the County of Tioga for the Democratic Party to publish the Election notices issued by the Secretary of State, and to publish the official canvass pursuant to County Law §214, Subd. 1.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 6-17 *SET SALARY OF CHAIR*

RESOLVED: That the salary of the Chair of the Tioga County Legislature be set at \$33,728 per year, which includes the salary received as County Legislator of \$10,430 and an additional \$23,298 to serve as Chair.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: LEGISLATIVE WORKSESSION COMMITTEE

RESOLUTION NO. 7-17 *FIX DATES AND TIMES OF
TIOGA COUNTY LEGISLATIVE
MEETINGS*

RESOLVED: That the Tioga County Legislature during 2017 shall meet regularly in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York at 12:00 P.M. on the Tuesday following Committees which are held during the first full work week of the month; and be it further

RESOLVED: That the, March, June, September and December 2017 Legislative meetings shall be held at 6:00 P.M.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – Legislator Monell.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 8-17 *APPOINTMENT OF
ADMINISTRATIVE CORONER*

WHEREAS: The Tioga County Coroners have selected an Administrative Coroner for 2017; and

WHEREAS: Such Administrative Coroner will perform the supervisory duties of managing their budget, paying the bills, and various office functions of the Coroner's office; and

WHEREAS: The Administrative Coroner will have no supervisory authority over the other Coroners; therefore be it

RESOLVED: That W. Stewart Bennett, Tioga County Coroner, has been selected by the four duly elected County Coroners to be designated as the Administrative Coroner for 2017 and be given a stipend of \$3,000.00 as set forth in the County budget.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 9-17 *APPOINT DIRECTORS
SOIL & WATER CONSERVATION
DISTRICT*

RESOLVED: That Legislators Dale Weston and Tracy Monell are hereby appointed Directors of the Tioga County Soil and Water Conservation District for a one year term of January 1, 2017 through December 31, 2017.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 10-17 ANNUAL REVIEW OF PROCUREMENT POLICY

WHEREAS: General Municipal Law §104-b requires an annual review of Tioga County's procurement policy and procedures; now therefore be it

RESOLVED: That the Tioga County Legislature affirms its annual review of its Procurement Policy.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "There is discussion on my part, there is a couple of things in the policy that I want to address, but the statement is that I have reviewed it, so we will be addressing that in coming weeks."

The meeting was adjourned at 1:13 P.M.

*First Regular Meeting
January 10, 2017*

The First Regular Meeting of 2017 was held on January 10, 2017 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God bless our brave men and women in public safety who rush into burning buildings and run towards live gun fire. Please remember them in your prayers and their families."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey asked for a unanimous motion for the following recognition resolution, seconded unanimously and carried.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 11-17

*RECOGNITION OF
MARILYN REYNOLDS' 17 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Marilyn Reynolds was appointed to the position of Supervising Public Health Nurse on December 6, 1999, in the Tioga County Public Health Department; the position she still holds; and

WHEREAS: In 2009 Marilyn was honored as the Public Health Team Member of the Quarter by her peers in Public Health; and

WHEREAS: In March of 2016, Marilyn was included in the New York State 'Public Health Works!' Honor Roll, which is a significant recognition from the New York State Department of Health; and

WHEREAS: Marilyn has worked tirelessly for the benefit of the citizens of this county, particularly in the areas of preventing lead poisoning in children and the importance of infant and adult immunizations; and

WHEREAS: Marilyn Reynolds has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during her 17 years in the Public Health Department. She has earned the respect of her

colleagues and peers throughout Tioga County, as well as within the New York State Department of Health; and

WHEREAS: Mrs. Reynolds will retire on January 28, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Marilyn Reynolds for her over 17 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Marilyn Reynolds.

ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing spoke. “I have had many interactions with Marilyn over the years that I have been on the Legislature. She really is the epitome of a nurse. She cares. Doctors are aloof most of the time, but nurses are the boots on the ground. They are the ones that actually end up taking care of you. I am glad to say that she has been an excellent nurse by all accounts. What I have seen and my sister who used to work in that department spoke very highly of her. I think that is quite an honor, that she has been an excellent nurse over the years.”

Lisa McCafferty, Public Health Director spoke. “Good afternoon everyone. I guess what I can say, I prepared very lengthy remarks, but then I found out that Denis has remarks that are like twice the length of mine, so mine will be very short and sweet. In the short time that I have worked with Marilyn I appreciate the depth of her nursing experience and her passion for population health because she truly understands what public health is about in working with the population and that is just the tip of the iceberg for all that she has done on behalf of Tioga County. Congratulations, enjoy your retirement.”

Denis McCann, Director of Administrative Services for Public Health spoke. “As mentioned in the recognition resolution Marilyn made it to the New York State Public Health honor roll and I just want to share that is the Hall of Fame in

New York State for public health and that is quite an honor. Marilyn came to us in 1999 with vast knowledge and a base from a lot of different areas of public health in taking care of people, but she never stopped seeking to improve and grow that knowledge. A fellow nurse, I will not mention her name, but she has worked here longer than Marilyn and with Marilyn the whole time. She said that when Marilyn started she thought Marilyn knew everything because she always had the answers for new, unique and rare medical issues that we found ourselves involved with. Over time she became to realize that Marilyn did not already know everything, which Steve already knew, her husband, but that Marilyn researched everything. Everything that came across her desk she started researching it right away before it got to anybody else so that she would have the answer and know what to do, and reach out to other counties or the state.

“When Marilyn started in 1999 she walked into a situation where several of the programs were in need of improvement, both in our performance as a department, but also in our relationship with New York State departmental. Marilyn excelled in both. In fact, she even got additional funding in those programs and from a fiscal perspective that is not common on the program side that they could get additional money, but that was because of her efforts. Marilyn always tries to do the right thing and be as accurate as possible. She cares about what she does. She cares about who it is for and she cares that it is right. Marilyn now has the opportunity to be a volunteer on our medical reserve corp. It is something that she has been on the other side and we are recruiting for you. Tioga County has been blessed to have Marilyn serving our residents and Marilyn will be missed by her coworkers. Thank you Marilyn.”

Marilyn Reynolds spoke. “I do not have a lot to say, but to keep it short I am very grateful that I have had the opportunity to work in the county that I live in. I always thought that that would be very important and it has been really important to me, to actually be on the ground floor of getting improvements in the county that I live in. The people that I have worked with have all been wonderful. It has really been a wonderful opportunity of growth and it is fun to come to work, usually it has been fun to come to work most of the time. To know that we can really make a difference in what we have done and being a small county it has been nice to be able to see some differences. I have been a thorn in the flesh in New York State because I have been letting them know that Tioga County is very unique and that they should pay attention to us. Again, thank you for all the support. I feel very blessed, especially blessed by God that I have been in a job that I have enjoyed and I love public health. It is bitter sweet because I cannot imagine after 45 years of nursing it is going to be hard to say goodbye, but thank you all for your support. It has been a blessing to be in Tioga County and work for Tioga County. Thank you.”

Chair Sauerbery noted a proclamation for the Newark Valley football team. "They could not be here today due to the weather and therefore they are going to come next month and we will present a proclamation to them at that time and recognize them."

PROCLAMATION

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Tioga County Legislature would like to congratulate and applaud the accomplishments of the Newark Valley Football team as they won their first Class C State Championship on Friday, November 25, 2016 at the Carrier Dome in Syracuse against Ogdensburg, 39 – 34; and

WHEREAS: The Newark Valley Football Team members are: Tyler Beebe, Jake Payne, Chad Wright, Dakota Frank, David Crow, Brett Stewart, Aj Coleman, Damon Rosalez, Colin Hills, Codi Boda, Justin Shutts, Ryan Crispell, Shawn Key, Justin Post, Quartus Steika, Patrick Stewart, Thomas Davey, Shayne Bickham, Hunter Hoffmier, Derek Short, Trevor Gerdus, Cody Hatton, Mike Walburn, Lane Carrier, Hendrix Welfel, Dale Folejewski, Jesse Brito, Trentyn Rupert, Evan Engelhard, Aaron Gorsline, Darin Walker. This football team was lead to victory under the leadership of: Head Coach Brian Sherwood; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Newark Valley Football Team for its accomplishments of winning the First Class C State Championship, Go Cardinals!!!

Legislator Standinger read and presented the following Proclamation to Susan Haskett of the Public Health Department.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Radon is the leading cause of lung cancer deaths among nonsmokers in America and claims the lives of about 21,000 Americans each year; and

WHEREAS: You can't see, smell or taste radon, but it could be present at a dangerous level in your home; and

WHEREAS: Radon is constantly being generated by the radium in rocks, soil, water and materials derived from rocks and soils, such as certain building materials; and

WHEREAS: The Environmental Protection Agency (EPA) and the U.S. Surgeon General urge all Americans to protect their health by testing their homes, schools and other buildings for radon; and

WHEREAS: Exposure to radon is a preventable health risk and testing radon levels in your home can help prevent unnecessary exposure; and

WHEREAS: Radon can get into buildings by cracks in solid floors and walls, construction joints, gaps in suspended floors, gaps around service pipes, cavities inside walls or the water supply; and

WHEREAS: For more information on radon, call the New York State Department of Health at 518-402-7556 or email radon@health.ny.gov; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of January 2017 as:

NATIONAL RADON ACTION MONTH

and urges all residents to take steps to educate themselves, their families, and the community about the importance of radon testing.

Legislator Standinger spoke. "I know that radon is a recent phenomenon that has been focused on by the Health Departments and the EPA. Radiation is a serious issue when it comes to cancer and radon is part of that."

Lisa McCafferty spoke. "Thank you very much and I think Sue would like to make a couple of remarks about radon."

Susan Haskett of the Public Health Department spoke. "Usually I have a visual, I like to talk with visuals, but remember if you are my age or if you have

grandparents my age or whatever, underneath your sink you would have shoe cleaning supplies. Years ago we used to clean our shoes, now you just throw them away and buy new. In there, there was shoe polish, different colors, usually black and brown, maybe white. That is the size of a radon kit that you can get for your house to detect if there is radon or not in your house. Healthy Neighborhood Program has them for people who want to do healthy neighborhoods. You can also go to Lowe's, Home Depot, something like that. They are between \$13 and \$20. You put them on, usually on your first floor, usually in January when your house is all closed up, and you leave it there for however long it says. Then you seal it and send it in, and they will come back with the results. It is very simple, very cost effective, and then you can find out how healthy your house is, especially in the wintertime. Healthy Neighborhood has several of them they have given out in our community this past year, hopefully they will do more, but it is a very very important thing to remember and thank you very much for this proclamation."

Emma Sedore had privilege of the floor. "You will notice my vote for women. First I want to say I am very pleased to have the privilege of the floor because it is always a privilege to be able to tell Tioga County's history. With this year being the 100th anniversary that New York State gave women the right to vote, it was three years before the 19th amendment was ratified and to recognize and celebrate this awesome occasion, Governor Cuomo has announced a kickoff and he appointed a 14 member State commission to work with promoting it. Assemblywoman Donna Lupardo is a member of the commission and she is working closely with our Chair, Marte Sauerbrey. Marte in turn has chosen a small core committee who are working to kick this project off by March 1st.

"The core committee consists of Marte, Becca Maffei, Leeanne Tinney and myself. First, Tioga County will partner with Broome and they will complement the various events that they will both do during the year. So far key people from each one of our 9 Towns has been selected and they have agreed to be our suffrage leaders as I like to call them, and then they will go back to their Towns and they will kick different people out, maybe different organizations. During the year each one of our Towns will have their own unique way of celebrating this anniversary and they will be able to highlight Tioga County's role in the suffrage movement. One of our main goals is to educate people, especially the young people and they have to learn and we want them to learn how fortunate they are that they had such strong leaders from the 19th and 20th centuries. I mean it is unbelievable what women went through to get us the privilege of voting and I think today when people go to vote they do not even think about it. They just take it for granted. That includes the young people of today, even the young people that have not even voted yet.

“Hopefully our goal is to have them learn about how it came about and now only that, but be motivated not just to go and vote when they get of age, but to set a higher goal for themselves and inspire to make something of themselves, something really big, so in their future people will look back like we are looking today and say about them, nice going. If this keeps going like that, I mean how can that but not help. It will help our country, it will help our county, it will be a wonderful thing, and then people will thank you to them because that is how I feel about looking back at the people today from my point of view. I say thank you Susan B. Anthony and Elizabeth Cady Stanton and the rest of them.

“We had women suffrage right here in the Village of Owego and in Tioga County. The first day of voting that people voted in Tioga County, the 15th amendment was amended on November 6, 1917, so by January the following year the first election took place in Tioga County in the Village of Owego on January 8, 1918 and 94 women showed up to vote. It was a big deal and you can read where the women of Lisle were the first ones to vote in New York State, but Tioga County had one up on them because not only could we vote, but we had women on the ballot. We had two women who ran for school commissioners and they won. That may not sound like a big deal today, but it was back then. I just want to say maybe some of this is kind of boring to you, you might have not even thought about the word suffrage, but we are planning on doing it and by the end of the year you should be a lot more informed than you are right now. Expect to see a lot of events happening during the year, parades with floats, women with long dresses, signs that say “vote for women”, buttons, whatever we can get. It is our way of saying thank you to all the brave women in the past and some of the men too that got us the right to vote as early as 1917. Thank you very much for allowing me to have the privilege of the floor.”

Legislator Mullen made a motion to approve the minutes of December 7 and 13, 2016, seconded by Legislator Sullivan, and carried.

Chair Sauerbrey made the following appointment to the Cornell Cooperative Extension Board for the term of 2017:

William Standinger, Legislator District #7

Chair Sauerbrey announced the 2017 Standing Committee of the County Legislature.

*STANDING COMMITTEES OF THE COUNTY LEGISLATURE
OF THE COUNTY OF TIOGA FOR 2017*

	Chairman			
1. County Clerk, Historian, Real Property Veterans/Elections,	Huttleston	Sullivan	Mullen	Standing
2. Economic Development/ Planning/ Tourism/ Agriculture	Weston	Roberts	Hollenbeck	Mullen
3. Finance/Legal & Safety	Monell	All Legislators		
4. Information Technology	Sullivan	Roberts	Monell	Huttleston
5. Legislative Worksessions/Legislative support	Sauerbrey	All Legislators		
6. Health & Human Services	Standing	Sullivan	Mullen	Monell
7.Public Safety/ Probation & DWI	Mullen	Hollenbeck	Weston	Standing
8.Public Works/ Capital Projects	Roberts	Sullivan	Huttleston	Weston
9.Personnel/ADA	Hollenbeck	Monell	Weston	Standing

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 12-17 *AUTHORIZATION TO ENTER INTO AN AGREEMENT
WITH TAYLOR GARBAGE TO ACCEPT HOUSEHOLD
ELECTRONIC WASTE FROM TIOGA COUNTY
RESIDENTS*

WHEREAS: In January of 2015, New York State banned consumers from disposing of certain types of electronic waste in landfills, waste-to-energy facilities, in the trash, or at curbside for trash pickup; and

WHEREAS: Due to this ban, Taylor Garbage stopped accepting electronic waste for recycling at their transfer station in Owego; and

WHEREAS: The Department of Solid Waste has an electronic waste recycling outlet for residents through their Household Hazardous Waste program; however, residents must transport the waste to the Broome County Landfill; and

WHEREAS: The Department of Solid Waste would like to enter into an agreement with Taylor Garbage where Tioga County residents can drop off their electronic waste; and

WHEREAS: The Department of Solid Waste will pay for the recycling costs for household electronic waste brought to Taylor Garbage's transfer station located at 352 Glen Mary Drive, Owego, NY; therefore be it

RESOLVED: That the Tioga County Legislature authorizes an agreement between Tioga County and Taylor Garbage for electronic waste; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to sign the said agreement upon its approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 13-17

*RE-APPOINT MEMBER TO THE TIOGA
COUNTY PLANNING BOARD*

WHEREAS: Doug Chrzanowski's position on the Tioga County Planning Board representing the Town of Tioga expired on 12/31/2016; and

WHEREAS: The Tioga Town Board has nominated Doug Chrzanowski to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Doug Chrzanowski to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 14-17

*RE-APPOINT MEMBER TO THE TIOGA
COUNTY PLANNING BOARD*

WHEREAS: Grady Updyke's position on the Tioga County Planning Board representing the Town of Barton expired on 12/31/2016; and

WHEREAS: The Barton Town Board has nominated Grady Updyke to serve another three-year term as their representative, and he is willing and able to do so; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoints Grady Updyke to the Tioga County Planning Board for another three-year term of 1/1/2017 – 12/31/19.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 15–17 *APPOINT MEMBER TO THE TIOGA COUNTY INDUSTRIAL DEVELOPMENT AGENCY (TCIDA)*

WHEREAS: Pursuant to §856(2) of the General Municipal Law the members of the Tioga County Industrial Development Agency (TCIDA) serve at the pleasure of the Legislature without a term until they either resign or are replaced by the Legislature; and

WHEREAS: Jan Nolis has resigned from the Tioga County Industrial Development Agency Board of Directors effective December 7, 2016; and

WHEREAS: The Tioga County Industrial Development Agency (TCIDA) Board of Directors desires to fill this vacant position; and

WHEREAS: Jenny Ceccherelli has expressed a desire to serve on the Tioga County Industrial Development Agency (TCIDA); therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jan Nolis for her loyal service to the residents of Tioga County; and be it further

RESOLVED: That the Tioga County Legislature hereby appoints Jenny Ceccherelli to replace Jan Nolis's position on the Tioga County Industrial Development Agency Board of Directors effective January 10, 2017.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 16-17 *AWARD BID FOR EMERGENCY
GASEOUS POWER GENERATOR*

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: The Tioga County Bureau of Fire sought bids for emergency gaseous power generator; and

WHEREAS: The Tioga County Bureau of Fire received a sealed bid on December 21, 2016 and the only bid came in as follows:

Cummins Northeast LLC	\$52,500.00
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And

WHEREAS: Blue Wing Services Inc. has determined that Cummins Northeast, LLC is the lowest responsible bidder in substantial and material compliance with the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid to Cummins Northeast, LLC the lowest responsible bidder in material and substantial compliance with the bid specifications for \$52,500.00.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 17-17 *AWARD BID FOR RADIO COMMUNICATION
TOWER
(CANDOR TOWER)*

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: The Tioga County Bureau of Fire sought bids for Radio Communication Tower; and

WHEREAS: The Tioga County Bureau of Fire received a sealed bid on December 21, 2016 and the only, timely, bid came in as follows:

Sabre Communications Corporation \$88,334.00

And

WHEREAS: Two additional bids were received several hours after the time of bid opening; and

WHEREAS: Blue Wing Services Inc. has determined that Sabre Communications Corporation is the lowest responsible bidder in substantial and material compliance with the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid to Sabre Communications Corporation, the lowest responsible bidder in material and substantial compliance with the bid specifications, for \$88,334.00.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 18-17 *AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR DIAMOND
VALLEY ROAD BIN 2219010*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Diamond Valley Road Bridge BIN 2219010 is a bridge that needs repair due to a NYSDOT Bridge inspection; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$16,660; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Diamond Valley Rd. Bridge BIN 2219010 for Delta Engineers not to exceed \$16,660 to be paid out of the Diamond Valley Road (BIN 2219010) account H5110 540002 H1707.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 19-17 *AWARD DESIGN SERVICES TO
DELTA ENGINEERS FOR DIAMOND
VALLEY ROAD BIN 3335540*

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Diamond Valley Road Bridge BIN 3335540 is a bridge in the bond program; and

WHEREAS: The Commissioner of Public Works received a proposal for design services for this project from Delta Engineers, Endwell, NY; and

WHEREAS: The proposal for this bridge came in at \$57,724; therefore be it

RESOLVED: That the Tioga County Legislature approve the proposal for the Diamond Valley Rd. Bridge BIN 3335540 for Delta Engineers not to exceed \$57,724 to be paid out of the Diamond Valley Road (BIN 3335540) account H5110 540002 H1704.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 20-17 *AMEND BUDGET AND TRANSFER FUNDS
PUBLIC WORKS*

WHEREAS: The Commissioner of Public Works has deemed that Bridge Projects funded through the Bond Act for 2017 need to be revised from originally submitted 2017 Budget; and

WHEREAS: Oak Hill Road Bridge (BIN 3334940) and Owl Creek Road Bridge (BIN 2218900) will have work done to them through the Bridge Preventive Maintenance Program and those funds are needed for Diamond Valley Road Bridge (BIN 2219010); and

WHEREAS: Public Works Committee has decided not to rehabilitate West Creek Road Bridge (BIN 3335200) and those funds are needed for Diamond Valley Road Bridge (BIN 3335540); and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From:

H5110 540002 H1503	Oak Hill Rd Bridge 3334940	\$94,000
H5110 540002 H1705	West Creek Rd Bridge 3335200	\$500,000
H5110 540002 H1706	Owl Creek Rd Bridge 2218900	\$100,000

To:

H5110 540002 H1704	Diamond Valley Rd Bridge 3335540	\$500,000
H5110 540002 H1707	Diamond Valley Rd Bridge 2219010	\$194,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 21-17 AUTHORIZATION TO RENEW CONTRACT WITH TRANE TO SERVICE CHILLERS AT PSB AND HHS

WHEREAS: Tioga County uses the services of Trane to maintain and service the chillers at the Public Safety Building and the HHS Building. This agreement includes parts and labor for annual planned maintenance; therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized to execute a three year contract with Trane, upon approval by the County Attorney, renewable every year, with the initial first year cost to be \$13,453, with successive year costs to be adjusted annually based on changes in the cost of service.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 22-17

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the Day Hollow Road over Foster Creek Bridge Rehabilitation, PIN 9754.14 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Design (Phases 1-4) and Right of Way Incidentals work; now therefore be it

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Design (Phases 1-4) and Right-of-Way Incidentals work for the Project or portions thereof; and it is further

RESOLVED: That the sum of \$57,000 is hereby appropriated from Day Hollow Bridge account H5110 540004 H1606 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 23-17 AMEND BUDGET
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a bridge project, Day Hollow Road over Foster Creek BIN 3335360; and

WHEREAS: Preliminary design and ROW incidentals have been approved by the New York State Department of Transportation for the amount of \$57,000, in which 80% of Federal Funds and 20% State Funds will be reimbursed to Tioga County; and

WHEREAS: Budget Amendments require Legislative approval; therefore be it

RESOLVED: That revenue accounts be established as follows:

H5110 445020 H1606	Federal Revenue for BIN 3335360	\$45,600
H5110 435020 H1606	State Revenue for BIN 3335360	\$11,400

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 24-17 ERRONEOUS ASSESSMENT
TOWN OF CANDOR

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #1842 in the Town of Candor assessed to Weisz, Stephen & Marjorie L. on

the 2017 tax roll of the Town of Candor is erroneous in that the Veterans exemptions were removed in error and the correct taxable value for town and county purposes should be \$279,860; be it therefore

RESOLVED: That a new bill be issued to Weisz, Stephen & Marjorie L. by the Town of Candor Tax Collector as follows:

	<u>Original Bill #2663</u>	<u>Corrected Bill #2663</u>
County	\$ 2,607.90	\$ 2,404.76
Recycle	120.47	111.09
Town Wide	1,427.18	1,316.02
Part Town	373.14	344.07
Candor Fire	<u>504.56</u>	<u>504.56</u>
	\$ 5,033.25	\$ 4,680.50

And be it further

RESOLVED: That the erroneous town tax of \$140.23 be charged back to the Town of Candor; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 9.38 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$ 203.14 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Weston.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:29 P.M.

Second Regular Meeting
February 14, 2017

The Second Regular Meeting of 2017 was held on February 14, 2017 and was called to order by the Chair at 12:04 P.M. Eight Legislative members were present, Legislator Weston being absent.

Chair Sauerbrey asked Legislator Huttleston to have a moment of prayer. "This is quite a crew. I will give you a little sideline. When I was in Greene and played football, basketball and baseball, Chenango Forks and Newark Valley only had an 8 man football team and this was back in the late 40s and early 50s. Greene and Oxford had an 11 football team. Thanks for coming.

"Let us pray. This meeting and special occasion is a wonderful example of democracy, which many countries are unable to enjoy. It is great to be an American and we are so lucky and blessed to live in a great caring and free country that gives us the freedom of religious choice and several other freedoms that other people in the world are unable to enjoy. Let's take the time to thank the many people and military forces from the past that have given and sacrificed so much to allow us to live free. Let us bless and thank our current leaders and military forces that are making many sacrifices to ensure and protect our freedom. Let us pray that all countries and all people will someday be able to live in peace and the entire world will be free of hate, anarchy, and terrorism. Thank you Lord for this great country and our freedom, and I ask you to bless this Legislative body, the department heads and employees and PS the Newark Valley football team."

Legislator Huttleston led all Legislators and those in attendance in the Pledge of Allegiance.

There were approximately 52 people in attendance.

Chair Sauerbrey announced that the Coach of the Newark Valley Football Team and some of the football members are present today to receive the Proclamation that was officially recognized at the January 10, 2017 Legislative meeting.

Legislator Hollenbeck read and presented the Proclamation to Coach Brian Sherwood.

PROCLAMATION

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Tioga County Legislature would like to congratulate and applaud the accomplishments of the Newark Valley Football team as they won their first Class C State Championship on Friday, November 25, 2016 at the Carrier Dome in Syracuse against Ogdensburg, 39 – 34; and

WHEREAS: The Newark Valley Football Team members are: Tyler Beebe, Jake Payne, Chad Wright, Dakota Frank, David Crow, Brett Stewart, Aj Coleman, Damon Rosalez, Colin Hills, Codi Boda, Justin Shutts, Ryan Crispell, Shawn Key, Justin Post, Quartus Steika, Patrick Stewart, Thomas Davey, Shayne Bickham, Hunter Hoffmier, Derek Short, Trevor Gerdus, Cody Hatton, Mike Walburn, Lane Carrier, Hendrix Welfel, Dale Folejewski, Jesse Brito, Trentyn Rupert, Evan Engelhard, Aaron Gorsline, Darin Walker. This football team was lead to victory under the leadership of: Head Coach Brian Sherwood; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby recognize and commend the Newark Valley Football Team for its accomplishments of winning the First Class C State Championship, Go Cardinals!!!

Legislator Hollenbeck spoke. "One side note before I let Coach Sherwood speak. The Class C Allstate players that were named were David Crow, Trentyn Rupert, AJ Coleman, Jake Payne, Brett Stewart, and Aaron Gorsline."

Coach Brian Sherwood spoke. "I would like to send a special thanks to the Tioga County Legislature for honoring our team in such a room and such a presentation. It is just a great opportunity for these 15, 16, 17 and 18 year old boys to be a part of this. A special thanks goes out to other coaches on the staff, Ted Arnstein, Scott Wandel, and also to our administration for the support

that they do give our athletic program and our academic achievement at Newark Valley. We are very honored to be here today and I thank you."

Chair Sauerbrey noted that we have four recognition resolutions this month. The recognition resolutions for Richard LeCount, Director of Emergency Management, Jill Worthington, Senior Clinical Social Worker for Mental Hygiene, and William Dimmick, Tioga County Planning Board member will just be noted.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 25-17

*RESOLUTION RECOGNIZING
RICHARD LECOUNT'S
43 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Richard LeCount was appointed as part-time Deputy Director of Civil Defense on 3/1/74; part-time Civil Defense Director on 7/8/87; and appointed part-time Director of Emergency Preparedness on 5/16/07; and

WHEREAS: Richard LeCount has been dedicated and loyal in the performance of his duties and responsibilities during the past 43 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: Richard LeCount will retire from the Tioga County Emergency Management Office on February 28, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Richard LeCount for his more than 43 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Richard LeCount.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 26-17 *RECOGNITION OF
JILL A. WORTHINGTON'S 20 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Jill A. Worthington was appointed to the position of Clinical Social Worker on May 20, 1996, and promoted to Senior Clinical Social Worker in 2002, with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Jill A. Worthington has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 20 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Worthington will retire on February 25, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Jill A. Worthington for her over 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Jill A. Worthington.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO:	ED&P COMMITTEE
RESOLUTION NO. 27-17	<i>RESOLUTION RECOGNIZING WILLIAM DIMMICK III 14 YEARS OF DEDICATED SERVICE TO TIOGA COUNTY</i>

WHEREAS: William Dimmick III was appointed to the position of Board Member of the Tioga County Planning Board on 3/11/2003; and

WHEREAS: William Dimmick III served as the Village of Waverly representative on the Tioga County Planning Board from 3/11/03 to 1/18/17; and

WHEREAS: William Dimmick III has faithfully volunteered his time and has been dedicated and loyal in the performance of his duties and responsibilities during the past 14 years, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William Dimmick III has resigned from the Tioga County Planning Board on January 18, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William Dimmick III for his 14 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding volunteer, William Dimmick III.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey read and presented the following recognition resolution to William Strong.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

RESOLUTION NO. 28-17

*RECOGNITION RESOLUTION
RECOGNIZING WILLIAM STRONG*

WHEREAS: William Strong has been an active member of the Tioga County Fair Board for 43 years and the Holstein Association for 54 years; and

WHEREAS: Mr. Strong started out working for Veterinarian Dr. Eugene Kemp, moved on to be an independent artificial inseminator locally, worked as a livestock nutritionalist and product salesman for Vigortone, worked as a milk tester for DHIA, then returned to livestock nutrition and product sales for Ration Maker and currently is a livestock nutritionist and product sales with Treaty Mills; and

WHEREAS: Over the course of many years Mr. Strong has been involved in buying and selling cattle and was responsible for the large cattle barn judging and sales and is now stepping down from the Tioga County Fair Board; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize William (Bill) Strong for his years of dedicated service to Tioga County by serving on the Tioga County Fair Board; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to William (Bill) Strong.

ROLL CALL VOTE

Unanimously Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

John Schumacher spoke. “We had to lie a little bit to get him here this morning. It came down to the wire, but we just wanted to recognize him for all the years that he has been involved with the Fair, Agricultural Community. If you guys have got cattle, any kind of agriculture products out there and have run across the Strong name over the years, whether it be Bill or the rest of the family, you are missing something and especially in the rural part of Tioga County. We wanted to recognize him in some way. If you have ever been down to the Fair over the years or involved in stuff, you always see him down there on a stool usually chewing somebody out or complaining about something, but we get through it. He has told me he is going to retire every year that I have seen him, so I think officially he did it this year.

“We just wanted to bring him out here so the rest of the people could see. I am sure he will not go away. Everybody goes on 17C going West you see all the Alpacas on the left going through Tioga Center, those are all his. I got the Alpaca socks on. I just wanted to say thank you to him for all of his years and his family. There are a whole bunch of members of the Fair Board that he has been involved with over the years.”

Charles Truman spoke. “I just wanted to say that I am not sure if I was the straw that broke the camel’s back in his tenure because I have only known him for three years. He had 40 years in before he even saw me and after doing business with me for three years and mentoring me I think he gave up the ghost and said there is no help for Truman, I am going to move on to another job. It has been a pleasure to have worked with Bill. He has been a great help and just because he retired does not mean that I won’t be picking up the phone and calling him on a regular basis because he is that kind of a mentor. He is a great guy to do business with.”

Legislator Standinger read and presented the following Proclamation on Heart Healthy Month to Lisa McCafferty, Public Health Director. "For the record I want to commend the Newark Valley Team since I also represent that Town. It was a pleasure to see them here."

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Heart disease is the nation's number one and most expensive cause of death and is credited for 1 in 3 deaths in Tioga County; and

WHEREAS: Without intervention heart disease rates will increase and the American Heart Association estimates 40% of Americans will have cardiovascular disease by 2030; and

WHEREAS: Almost 50 % of Americans have at least one risk factor for heart disease which includes diabetes, being overweight, poor diet, physical inactivity and excessive alcohol use; and

WHEREAS: The American Heart Association promotes preventing heart disease by eating smart, adding color in your diet with fruits and vegetables, move more and be well by managing stress; therefore be it

RESOLVED: That the TIOGA COUNTY LEGISLATURE does hereby proclaim the month of February 2017 as

HEART HEALTHY MONTH

and encourages all residents to consider lifestyle changes that can reduce the risk of heart disease.

Legislator Standinger spoke. "The bottom line is heart disease is a pretty significant problem and with the help of our Director here, Lisa McCafferty we will try and minimize the deaths associated with it."

Lisa McCafferty, Public Health Director spoke. "Thank you very much. I guess I will sum it up by saying if you take care of your heart it will take care of you. Thank you."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of January 5 and 10, 2017, seconded by Legislator Mullen, and carried.

Chair Sauerbrey abolished the following committees:

Financial Management & Accounting System (FMAS)
 Financial Management & Accounting System (FMAS) Executive Team
 Financial Management & Accounting System (FMAS) Project Team
 Financial Management & Accounting System (FMAS) Subject Matter
 Experts
 Financial Management & Accounting System (FMAS) Technical Team
 Financial Management & Accounting System (FMAS) County Change
 Management Team

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 29-17 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF A
 PRINTER FOR THE ECONOMIC DEVELOPMENT &
 PLANNING OFFICE*

WHEREAS: The Economic Development & Planning Department has a printer that is in need of replacement; and

WHEREAS: The Information Technology Department has recommended replacement: and

WHEREAS: The Economic Development and Planning printer expense account A6422-520220 has no funds available at this time; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the printer for the Economic Development and Planning Department and that the following sums be transferred for this purchase:

From: ED&P Account A6422 - 540420 \$256.90

To: ED&P Account A6422 - 520220 \$256.90

WHEREAS: The Tioga County Legislature recognizes the importance of County Capital Infrastructure, Equipment, Computer Software and Hardware enhancements, and established funds for such needs in Resolutions No. 320-13 and No. 119-13; and

WHEREAS: The Tioga County Legislature would like to replenish the depleted Capital Reserves through funds it received from the initial Gaming Casino Revenue due the host county for the Tioga Downs Casino, therefore be it

RESOLVED: That the Tioga County Treasurer transfer payment of \$1,000,000.00 for Game of Chance Revenue receipted into the General Operating Fund in account A1325 425300 on 12/29/2016 to the Capital Fund; and be it further

RESOLVED: That the Tioga County Treasurer funds the "Computer Hardware Reserve Fund" with \$100,000.00 and the "Land, Equipment, and Infrastructure Reserve Fund" with \$900,000.00 as follows:

FROM: A1340 425300 Game of Chance Revenue	\$1,000,000.00
TO: A9950.93-715 Transfer to Capital Fund	\$1,000,000.00
 From: H5031.00 Interfund Transfer	 \$1,000,000.00
TO: H387805 Capital Hardware Reserve	\$100,000.00
TO: H387807 Capital Land, Equipment & Infrastructure Fund	\$900,000.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 33-17 RE-ESTABLISH PRIOR YEAR
CAPITAL PROJECTS

WHEREAS: Prior year Capital Projects and Capital Equipment Requests need to be re-established for the remaining unspent balance as of year-end 2016 for purchase or completion in 2017; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

<u>Bond Bridge Projects</u>	<u>BIN</u>	<u>Amt to Establish</u>
H5110 54002 H1408 Coddington Rd	3335100	\$ 322,285.44
H5110 54002 H1409 Glenn Road	3335320	\$ 5,000.00
H5110 54002 H1410 Blewer Road	2218580	\$ 15,000.00

Capital Projects Paving & Non Bond Bridge

H5110 540001 H1607	Pave NY	\$ 270,880.57
H5110 435020 H1607	State Aid Pave NY	\$ 270,880.57
H5110 540004 H1606	Day Hollow over Foster Creek	\$ 582,541.61

Capital Equipment

H1621 520923	Standby Generator HHS	\$ 95,497.57
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Capital Other

H1325 520095	FMAS Contracted Services	\$ 48,643.83
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And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 34-17 RE-ESTABLISH PRIOR YEAR
GRANTS FOR HHS

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2016 for purchase or completion in 2017; therefore be it

RESOLVED: That the following HHS accounts and amounts be re-established and the 2017 budget be amended:

MENTAL HEALTH -Reso 83-16 Suicide Coalition Amount to Re-Establish

A4322 540010 Advertising	\$	600.00
A4322 540130 Contracts	\$	100.00
A4322 540360 Meals/Food	\$	56.35
A4322 540485 Printing /Paper	\$	31.68
A4322 540640 Supplies	\$	741.86
A4322 540733 Training	\$	417.00
A4322 427051 Gifts & Donations	\$	1,946.89

PUBLIC HEALTH –Reso 137-16 Tioga Smiles Flouride Varnish Services

A4064 540640 Dental Services -Supplies	\$	4,491.15
A4064 422800 Grants-Community Foundation-Pickert	\$	4,491.15

PUBLIC HEALTH –Reso 135-16 Child Passenger Safety

A4012 540640 Health Education-Supplies	\$	4,950.00
A4012 422800 Grants-Community Foundation-Meltzer	\$	4,950.00

PUBLIC HEALTH –Reso 136-16 Child Passenger Safety

A4012 540640 Health Education-Supplies	\$	3,577.96
A4012 422800 Grants-Community Foundation-Hooker	\$	3,577.96

TRANSPORTATION –Reso 113-16 Mobility Management

A5630 540140 Transportation-Contracting Services	\$	310,298.00	
A 5630 440900 Federal Aid – Transportation	\$	276,042.02	A5630
430900 State Aid –Transportation	\$	34,255.98	

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 35-17 RE-ESTABLISH PRIOR YEAR GRANTS FOR 2017

WHEREAS: Prior Year Grant Funds need to be re-established for the remaining unspent balance as of year-end 2016 for purchase or completion in 2017; therefore be it

RESOLVED: That the following accounts and amounts are re-established and the 2017 budget is amended:

ILS -Reso 41-16 Indigent Legal Services	Amount to Re-Establish
A1173 510010 Full Time Salary	\$ 22,418.96
A1173 510020 Part Time Salary	\$ 24,906.77
A1173 520200 Office Equipment	\$ 1,405.68
A1173 540040 Books	\$ 1,286.09
A1173 540140 Contracting Services	\$ 6,382.01
A1173 540280 Investigations	\$ 2,050.00
A1173 540320 Leased Services/Equipment	\$ 300.00
A1173 540420 Office Supplies	\$ 3,702.21
A1173 540480 Postage	\$ 100.00
A1173 540620 Software	\$ 2,473.27
A1173 540700 Transcripts	\$ 418.00
A1173 540733 Training	\$ 3,206.00
A1173 583088 Social Security	\$ 3,278.84

A1173 584088 Workers Comp	\$	4,860.01
A1173 430260 State Aid Indigent Legal Service	\$	76,755.74

Fire-Reso 41-16 Interoperable Grant

A3415 520230 Radio Equipment	\$	915,538.48
A3415 540140 Contracting Services	\$	235,950.46
A3415 433063 State Aid -Interoperable Grant	\$	1,151,488.84

Emergency Management -Reso 216-16 SHSP 16

A3360 520130 Equipment (not car)	\$	54,625.32
A3360 433566 State Aid SHSP 16	\$	52,500.00
A3360 433565 State Aid SHSP 15	\$	2,125.32

Economic Development-New York Main Street Amount to Re-Establish

CE8510 540487 Program Expenses	\$	197,925.50
CE8510 439900- State Aid NY Main Street Program	\$	197,925.50

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 36-17 *AUTHORIZE MULTI-YEAR PREPAYMENT OF MAINTENANCE AGREEMENTS TO ACHIEVE SAVINGS*

WHEREAS: The County Information Technology and Communication Services department regularly pays multiple service and maintenance contracts annually; and

WHEREAS: The ITCS department has identified cost savings and discounts that are available if the County agrees to pre-pay these support agreements in advance; and

WHEREAS: The ITCS department has identified the following contracts meeting the criteria of eligibility for multi-year cost savings:

- Dell Compellent data storage system
- Barracuda network protection devices
- VMware software
- Cisco network support (SmartNET)
- Computer antivirus software
- Microsoft licensing
- ShoreTel phone system support

therefore be it

RESOLVED: That the Tioga County Legislature authorizes the ITCS Director to engage in multi-year contracts pre-paying these amounts against future budget years for the above-listed items when appropriate to achieve cost savings after review by the County Attorney and when approved as a part of the ITCS annual budget; and be it further

RESOLVED: That the funds for the above contracts are paid from the budget lines A1680 540350, A1680 540620 and A1680 540661 accounts in terms not to exceed a maximum of five years in length; and be it further

RESOLVED: That the ITCS Director shall track the savings achieved for reporting as requested.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 38-17

*APPLY FOR INDIGENT LEGAL
SERVICES GRANT*

WHEREAS: The New York State Office Of Indigent Legal Services has made available to Tioga County a three year, non-competitive grant totaling \$61,902 to improve the quality of Indigent legal services provided under Article 18-B of the County Law; and

WHEREAS: Tioga County realizes the importance of providing quality representation to indigent individuals; and

WHEREAS: The grant funds will be used:

1. To partially fund the position of Part Time Paralegal for the Public Defender's Office.
2. To partially fund the position of Family Court Public Defender.
3. To partially fund the on-line research tool for Public Defender's Office.
4. To fund the annual support for the PDCMS system.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 39-17 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Maintenance Program – Phase 3 - (FFY 17), PIN 9753.99 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering and Design (Phases 1 – 4) work;

NOW THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering and Design (Phases 1 – 4) work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$15,000 is hereby appropriated from the Bridge Projects Account D5110.540050; and made available to cover the cost of participation in the above phase of the Project; and it is hereby further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is hereby further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement

requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is hereby further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is hereby further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 40-17

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS

WHEREAS: A project for the resurfacing of Pennsylvania Avenue from Beach Road to the PA State Line, Town of Owego, Tioga County, PIN 9754.16 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Supervision and Inspection work.

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$925,000 is hereby appropriated from the Pennsylvania Avenue Pavement Rehabilitation account H5110 540001 H1708 and made available to cover the costs of participation in the above phases of the Project; and it is hereby further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is hereby further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is hereby further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is hereby further

RESOLVED: That this Resolution shall take effect immediately.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 42-17 *AWARD REPAIR OF THE HVAC UNIT
AT THE RONALD E. DOUGHERTY
COUNTY OFFICE BUILDING*

WHEREAS: Two compressors in the HVAC unit at the Ronald E. Dougherty County Office Building located at 56 Main Street have failed; and

WHEREAS: The Commissioner of Public Works received proposals for the repair of this HVAC unit; and

WHEREAS: The proposals were received as follows:

Trane U.S. Inc.	\$13,443.00
TCR Specialty Contracting Services	\$14,615.00

And

WHEREAS: The Commissioner of Public Works reviewed the proposals and determined that TCR Specialty Contracting Services proposal included new R22 refrigerant gas and was a better warranty; therefore be it

RESOLVED: That the Tioga County Legislature award the repair to TCR Specialty Contracting Services, Owego, NY not to exceed \$14,615.00 to be paid out of A1620 (Org) 540140 (Object).

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 43-17 *URGING NEW YORK STATE TO FUND PROBATION DEPARTMENTS AND OTHER IMPACTED COUNTY DEPARTMENTS AND AGENCIES THE FULL COSTS ASSOCIATED WITH RAISING THE AGE OF CRIMINAL RESPONSIBILITY TO 18 YEARS OF AGE.*

WHEREAS: Governor Cuomo signed Executive Order 131 on April 9, 2014 to establish the Commission on Youth, Public Safety and Justice instructing the Commission to develop a concrete plan to raise the age of criminal responsibility in New York State and make specific recommendations on how the juvenile and criminal justice systems can better serve youth, improve outcomes and protect communities; and

WHEREAS: The Commission completed its report on December 31, 2014 recommending raising the age of criminal responsibility from age 16 to age 18 over a two year period to be completed in a phased in approach; and

WHEREAS: Division of Criminal Justice Statistics reveal the number of arrests among 16 and 17 year olds statewide in calendar year 2015 was 27,281 and that under the proposed change these youth will now be shifted from the criminal courts to local Probation Departments for Intake and Diversion services; and

WHEREAS: The Governor's proposal recommends that the violation level offenses of Harassment, 2nd Degree and Disorderly Conduct shall also be diverted to Probation Departments for Intake and Adjustment services, thus adding substantially to the workload of Probation staff; and

WHEREAS: The Governor's proposal recommends Probation Departments provide a continuum of diversion services that range from minimal intervention for low risk youth and evidence based service for high risk youth; and

WHEREAS: Probation Departments will not be able to absorb the influx of youth requiring Intake and Diversion services at current staffing levels and will require additional staff to perform these duties; and

WHEREAS: These added burdens to county Probation Departments come as the state share of probation costs has fallen from 46.5% in 1990 to 9% in 2016; and

WHEREAS: Other County Departments and agencies may be similarly affected by the increase in the age of criminal responsibility in areas that range from juvenile detention to community support services, and do not have alternative sources of income to support the cost of additional responsibilities and services, and

WHEREAS: Counties cannot absorb the financial cost associated with raising the age without 100% funding of the additional staff and services required by the Governor's proposal; and

WHEREAS: The funding proposal stipulates that only counties who do not exceed the 2% tax cap and can demonstrate to the Division of Budget that funding related services is a fiscal hardship may apply for a waiver of the local share requirement of an expense otherwise incurred; now therefore be it

RESOLVED: As follows:

Section 1. That the Tioga County Legislature insists the State Legislature enact legislation that fully, permanently and unambiguously obligates the State to pay for 100% of all new costs incurred by Probation Departments and other county departments and agencies affected by raising the age of criminal responsibility; and

Section 2. That language be included to set aside designated funds from which Counties can draw, eliminating the need for Counties to exceed their 2% tax cap; and

Section 3. That copies of this resolution be forwarded to Governor Andrew Cuomo, the Senate Majority and Minority Leaders, the Assembly Majority and Minority Leaders, Senator Akshar, Congressman Reed, Independent Democratic Conference Leader, County Legislative Chairs and NYSAC.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 44-17 ERRONEOUS ASSESSMENT
TOWN OF BARTON

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #10863 in the Town of Barton assessed to Baggerly, Phillis on the 2017 tax roll of the Town of Barton is erroneous in that the Exemption 41802 and Exemption 41803 were removed in error and the correct taxable value for town purposes should be \$100,795 and the correct taxable value for county purposes should be \$63,660; be it therefore

RESOLVED: That a new bill be issued to Baggerly, Phillis by the Town of Owego Tax Collector as follows:

	<u>Original Bill #1717</u>	<u>Corrected Bill #1717</u>
County	\$1,076.40	\$ 645.84
Recycle	49.72	29.83
Town Wide	229.41	217.94
Return School	906.15	906.15
Barton Fire	<u>99.56</u>	<u>99.56</u>
	\$2,361.24	\$1,899.32

And be it further

RESOLVED: That the erroneous town tax of \$11.47 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$19.89 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$430.56 be charged to the proper account in the records of the County Treasurer.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Hollenbeck and the changes are as follows:

Correct name is "Phyllis".

The first Resolved should read "Barton" not Owego.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON AMENDED RESOLUTION

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE
 RESOLUTION NO. 45-17 ERRONEOUS ASSESSMENT
 TOWN OF TIOGA

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #2347 in the Town of Tioga assessed to Bishop, Travis & Jean Marie on the 2017 tax roll of the Town of Tioga is erroneous in that the mobile home was put on the wrong parcel and the correct taxable value for town and county purposes should be \$600; be it therefore

RESOLVED: That a new bill be issued to Bishop, Travis & Jean Marie by the Town of Tioga Tax Collector as follows:

	<u>Original Bill #172</u>	<u>Corrected Bill #172</u>
County	\$ 196.70	\$ 73.76
Recycle	9.09	3.41
Town Wide	80.53	30.20
Tioga School Return	300.53	112.70
Tioga Fire	<u>24.15</u>	<u>9.06</u>
	\$ 611.00	\$229.13

And be it further

RESOLVED: That the erroneous town tax of \$50.33 be charged back to the Town of Tioga; and be it further

RESOLVED: That the erroneous solid waste tax of \$5.68 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$122.94 be charged back to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$15.09 be charged back to the Tioga fire FD021; and be it further

RESOLVED: That the erroneous returned school tax of \$187.83 be charged back to the Tioga School District.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 46-17 *ERRONEOUS ASSESSMENT*
TOWN OF NEWARK VALLEY

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #87 in the Town of Newark Valley assessed to Jennison, Dana & Phyllis on the 2017 tax roll of the Town of Newark Valley is erroneous in that the Veterans exemption 41121 was removed in error and the correct taxable value for town and county purposes should be \$62,600; be it therefore

RESOLVED: That a new bill be issued to Jennison, Dana & Phyllis by the Town of Newark Valley Tax Collector as follows:

	<u>Original Bill #170</u>	<u>Corrected Bill #170</u>
County	\$ 873.18	\$ 769.88
Recycle	40.34	35.56
Town Wide	393.79	347.20
Newark Valley Fire	<u>158.95</u>	<u>158.95</u>
	\$ 1,466.26	\$ 1,311.59

And be it further

RESOLVED: That the erroneous town tax of \$46.59 be charged back to the Town of Newark Valley; and be it further

RESOLVED: That the erroneous solid waste tax of \$4.78 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$103.30 be charged back to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 47-17 ERRONEOUS ASSESSMENT
TOWN OF OWEGO

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #12210 in the Town of Owego assessed to Woodruff, Bonnie J on the 2017 tax roll of the Town of Owego is erroneous in that the Mobil home burnt down before 3/1/2016 and the correct taxable value for town and county purposes should be \$58,000; be it therefore

RESOLVED: That a new bill be issued to Woodruff, Bonnie J by the Town of Owego Tax Collector as follows:

	<u>Original Bill #8904</u>	<u>Corrected Bill #8904</u>
County	\$ 690.53	\$ 656.57
Recycle	31.90	30.33
Town Wide	64.92	61.73
Part Town	174.63	166.04
Owego Fire	<u>148.42</u>	<u>141.13</u>
	\$1,110.40	\$1,055.80

And be it further

RESOLVED: That the erroneous town tax of \$11.78 be charged back to the Town of Candor; and be it further

RESOLVED: That the erroneous solid waste tax of \$1.57 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$33.96 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$7.29 be charged back to the Owego Fire.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Hollenbeck and the changes are as follows:

The second Resolved should read "Owego" not Candor.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON AMENDED RESOLUTION

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 48-17 *APPOINT AND EXTEND
YOUTH BOARD MEMBERS TERMS
YOUTH BUREAU*

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 133-16 and terms have expired; now therefore be it

RESOLVED: That the following listed representatives terms be extended as follows:

	<u>TERM</u>
Steve Herbert (Extending Term)	01/01/2017 – 12/31/2020
Katelynn Wahl (Extending Term)	01/01/2017 – 12/31/2020

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

ED&P COMMITTEE
AG COMMITTEE

RESOLUTION NO. 49-17

*SET PUBLIC HEARING FOR 2017 ANNUAL
AGRICULTURAL DISTRICT INCLUSIONS*

WHEREAS: The Tioga County Legislature, as per resolution 296-03 designated January 2nd through January 31st as the official annual enrollment period for inclusion of viable agricultural properties in agricultural districts as required by §303-B of the NYS Agricultural and Markets Law 25-AA; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and said law requires that the Tioga County Legislature hold a public hearing before making a decision on inclusion of lands; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2017 on February 23rd, 2017 at 10:00 AM in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, NY.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 51-17

AUTHORIZATION TO SUBMIT APPLICATION TO NEW YORK HOMES AND COMMUNITY FOR FUNDING AND TO ADMINISTER A 2017 NEW YORK MAIN STREET PROGRAM FOR THE 2017 CANDOR DOWNTOWN REVITALIZATION PROGRAM

WHEREAS: Tioga County Economic Development and Planning on behalf of the Village of Candor desires to apply for an amount up to \$300,000.00 in financial assistance through the 2017 Consolidated Funding Application under the 2017 New York Main Street Program; and

WHEREAS: The application proposes funding to assist property owners to complete building renovations to targeted, contiguous downtown "main street" buildings along Main Street in the downtown central business district of the Village of Candor; and

WHEREAS: The proposed funding will contribute to ongoing community revitalization efforts; and

WHEREAS: The grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality making application and in which the project will be located; and

WHEREAS: The Village of Candor is in support of this application to the 2017 New York Main Street program for revitalization of commercial and residential uses that make up the Main Street area of the Village of Candor; therefore be it

RESOLVED: That the Tioga County Legislature approves and endorses the 2017 New York Main Street Program grant application for up to \$300,000.00 in funding assistance, on behalf of the Village of Candor, to be prepared and submitted by the Tioga County Economic Development and Planning Office and to administer such program.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 52-17 *AWARD NATURAL GAS CONTRACT
TO DIRECT ENERGY*

WHEREAS: Tioga County is a participant with the Municipal Electric and Gas Alliance (MEGA) to obtain better pricing for natural gas supply; and

WHEREAS: The Municipal Electric and Gas Alliance has received bids for natural gas supply and has recommended Direct Energy for our natural gas supplier; therefore be it

RESOLVED: That the Tioga County Legislature award the fixed pricing natural gas supply contract to Direct Energy.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 53-17 *RESOLUTION CALLING ON GOVERNOR ANDREW CUOMO AND THE STATE LEGISLATURE TO PLAN FOR NEXT GENERATION 911 IN NYS AND CREATE A NYS 911 DEPARTMENT THAT SUPPORTS COUNTY PUBLIC SAFETY ANSWERING POINTS AND ENHANCES LOCAL EMERGENCY DISPATCH SERVICES*

WHEREAS: Counties provide 911 services in NYS by operating Public Safety Answering Points (PSAPs) that serve all residents in times of emergency by dispatching emergency medical, fire, and police assistance; and

WHEREAS: Counties continue to incur substantial costs to upgrade and maintain communications systems, as well as keep up to date with technological changes; and

WHEREAS: These changes are a fundamental shift toward IP based 911 system that is commonly referred to as Next Generation (NG) 911; and

WHEREAS: NG911 requires greater planning and investment on the part of local governments in order to keep pace with rapidly evolving consumer technologies; and

WHEREAS: The majority of states across the country have aggressively begun preparing for NG911 and in numerous instances deploying significant infrastructure and policies to build the foundation for a NG911 system; and

WHEREAS: NYS has done comparatively little to prepare for NG911 and is facing significant risk in becoming a straggler in the deployment of NG911 technologies; and

WHEREAS: A lag in planning and investment in NG911 places NY citizens at risk as they rely on a legacy 911 system that is rapidly becoming obsolete; and

WHEREAS: The NYS Public Service Commission (PSC) conducted a telecommunications study on 911 that required the insight of public safety and 911 experts to relay relevant public safety information to the PSC as they make 911 related telecommunications decisions; and

WHEREAS: The PSC intends to work collaboratively with the Department of Homeland Security and Emergency Services (DHSES), the 911 Advisory Board and the Public Safety Broadband Working Group to further advance the implementation of NG911 in NYS, while maintaining their oversight of 911 system affordability and reliability as it pertains to providers of 911 services; and

WHEREAS: A NYS effort to provide coordinated leadership in the area of 911 would be most appropriately empowered to both support the mission of the PSAP's in the state as well as transition the current 911 legacy system to a NG911 system that will better serve its citizens for years to come; and

WHEREAS: Leadership from NYS is crucial to ensure success and to prevent future tragedies related to the 911 network; and

WHEREAS: Counties urge NYS to adopt the Automated Secure Alarm Protocol (ASAP) which automates all alarms coming from alarm companies and allows for an electronic link between the Central States Alarm Association, the NLETS system and the PSAP's via the NYS e-justice system; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew Cuomo, the State Legislature and the DHSES to create a NYS 911 Department that best serves the public interest and supports PSAP's in NYS while continuing to allow the City of New York and the 57 counties outside of NYC to receive emergency 911 calls and dispatch emergency services in a manner that is most appropriately determined by those municipalities; and be it further

RESOLVED: That the Tioga County Legislature calls upon the State Legislature and the Governor to enable a State 911 Department that would:

- Provide Funding.
- Issue RFPs and award contracts as necessary to support 911.
- Establish standards for 911.
- Apply for and distribute Federal Grant Funds.
- Coordinate and provide training for 911 directors, supervisors and call takers.
- Provide public education.
- Provide necessary networks to support 911 both in a legacy and NG911 environment.
- Provide a Statewide ESInet to support interoperability within/outside NYS.
- Create, maintain and distribute GIS databases.
- Create and maintain NG911 and other appropriate databases to support 911 efforts.
- Provide and propose appropriate regulations/legislation/tariffs to support 911.

- Represent NYS in efforts to support and advance 911 at a national level including participating in events sponsored by NASNA, NENA, APCO and the FCC.
- Provide consultative services to PSAP's in NYS in regards to industry trends, products, techniques, and standards.
- Help manage Civil Service exams related to 911 professionals.
- Manage the TERT program.
- Provide legal expertise in 911 related matters; serve as the liaison to 911 service providers (TELCOs, Wireless Carriers, TCCs, VoIP providers, CPE manufactures, etc.).
- Provide coordination with the PSC and work closely with them on tariffs, legislation and other business as it pertains to the 911 field.
- Provide for connectivity via the e-justice system to allow ASAP.

And be it further

RESOLVED: That the Tioga County Legislature supports the extension of 911 surcharges to any device capable of connecting to 911, including prepaid devices, including prepaid devices as essential to preserving current resources for 911 services; and be it further,

RESOLVED: That copies of this resolution be sent to the other sixty-one counties of NYS, encouraging other counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, the Leadership of the NYS Legislature, the Commissioner of the Division of Homeland Security and Emergency Services, the NYS Association of Counties, the Inter-County Association of Western NY, and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 54-17 *RESOLUTION CALLING ON GOVERNOR ANDREW CUOMO AND THE STATE LEGISLATURE TO MORE EQUITABLY AND EFFICIENTLY IMPOSE THE 911 SURCHARGE ON ALL WIRELESS COMMUNICATION DEVICES AND USE REVENUES TO FINANCE LIFE SAVING COUNTY 911 SERVICES*

WHEREAS: The State of New York imposes a \$1.20 public safety surcharge on wireless "contract telephones", which, when it was enabled in statute, was intended to fund 911 operations and help dispatchers, first responders and law enforcement officers to communicate and respond to emergencies; and

WHEREAS: Despite its access to 911 systems, the "pre-paid" cellular phone industry is currently not contributing resources to support 911 services; and

WHEREAS: NYSAC estimates, using FCC data, that about 1/3 of all cell phones are "pre-paid" and do not pay the \$1.20 state surcharge or the \$0.30 local surcharge; and

WHEREAS: More than 30 states have expanded their 911 surcharge to "pre-paid" phones; and

WHEREAS: The growth of smart phones into the "pre-paid" marketplace in recent years is accelerating and providers are moving away from annual contracts toward "pre-paid" monthly programs; and

WHEREAS: The State's revenues from the \$1.20 surcharge totals nearly \$200 million annually but is declining, and the majority of these revenues are used by the state for purposes other than 911; and

WHEREAS: Current funding mechanisms do not provide enough funding to address the essential needs of all counties nor the implementation of Next Generation 911; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew Cuomo and the State Legislature to determine a way to ensure adequate funds are available for emergency communication needs and furthermore authorize

all counties the authority to impose a state surcharge up to a \$1.20 on all wireless devices that are capable of accessing 911 services; and be it further

RESOLVED: That any expansion of the state surcharge to "pre-paid" plans should commensurately authorize local surcharges for the same purpose; and be it further

RESOLVED: That the state should provide optional authority for the local wireless \$.30 surcharge for the eight counties that do not currently impose this surcharge; and be it further

RESOLVED: That copies of this resolution be sent to the other sixty-one counties of NYS, encouraging other counties to enact similar resolutions; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature shall forward copies of this resolution to Governor Andrew Cuomo, Senator Fred Akshar, Assemblyman Christopher Friend, the Leadership of the NYS Legislature, the Commissioner of the Division of Homeland Security and Emergency Services, the NYS Association of Counties, the Inter-County Association of Western NY, and all others deemed necessary and proper.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 55-17 *RETITLE AND AMEND CLASSIFICATIONS WITHIN CLERICAL AND ACCOUNT CLERICAL SERIES PERSONNEL DEPARTMENT*

WHEREAS: Legislative approval is required to abolish and create any job title within Tioga County; and

WHEREAS: After conducting a review of full-time classifications within the clerical and account clerical series and after providing both notice and appeal rights to department heads and incumbents, the Personnel Officer has determined a need to retitle and amend a number of classifications:

<u>Current title & Allocation</u>	<u>New title</u>
Typist (CSEA SG III)	Office Specialist I
Sr. Typist (CSEA SG IV)	Office Specialist II
Sr. Clerk (CSEA SG IV)	Office Specialist II
Administrative Assistant (CSEA SG VII)	Office Specialist III
Account Clerk-Typist (CSEA SG IV)	Accounting Associate I
Sr. Account Clerk-Typist (CSEA SG V)	Accounting Associate II
Principal Account Clerk (CSEA SG VII)	Accounting Associate III

and

WHEREAS: Salary allocations for the above new titles will remain consistent with the current title's salary allocation and incumbents shall have a continuation of status under civil service laws and rules; therefore be it

RESOLVED: That for the purpose of retitling and amending classifications, the Tioga County Legislature authorizes abolishment of the following full-time titles: Typist, Sr. Typist, Sr. Clerk, Administrative Assistant, Account Clerk-Typist, Sr. Account Clerk-Typist, and Principal Account Clerk and authorizes the creation of the following full-time titles: Office Specialist I (CSEA SG III), Office Specialist II (CSEA SG IV), Office Specialist III (CSEA SG VII), Accounting Associate I (CSEA SG IV), Accounting Associate II (CSEA SG V), and Accounting Associate III (CSEA SG VII) effective February 15, 2017; and be it further

RESOLVED: That a final notification will be provided to department heads and employees impacted by these changes.

Legislator Hollenbeck made a motion to amend the above resolution, seconded by Legislator Sullivan and to read as follows:

Change the effective date from February 15, 2017 to "February 18, 2017".

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials					
Part-Time Assistant Fire Coordinator	Robert Byrnes	6	9/19/16-12/31/17	N	12.39

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 14th day of February, 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 14th day of February, 2017.

Tioga County Legislative Clerk

Affidavit of Posting: I, Maureen L. Dougherty, being duly sworn, depose and say that the posting of the resolution began on February 14, 2017 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.com
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at _____

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:37 P.M.

Public Hearing
Annual Agricultural District Inclusion
February 23, 2017

The Public Hearing on requests of inclusion of viable agricultural land in agricultural districts received within the designated time period in 2017 was called to order by the Chair at 10:00 A.M. All Legislative members were present.

There was one person in attendance.

The Clerk read the legal notice as published in the official newspapers.

Elaine Jardine, County Planning Director spoke. "This year we had three requests for inclusion of agricultural land in Agricultural Districts in the Town of Spencer, beef farm, Town of Nichols, hay farm, and Town of Nichols and Tioga, organic dairy. The three requests total 494.76 acres to add to the Spencer Agricultural District and the Owego-Nichols Agricultural Districts."

There being no further comments, the hearing was adjourned at 10:02 A.M.

Public Hearing
North-Tioga Agricultural District
March 1, 2017

The Public Hearing on reviewing a proposed plan for continuation with modifications of the North-Tioga Agricultural District in the Towns of Richford, Berkshire and Newark Valley as well as the Village of Newark Valley was called to order by the Chair at 1:00 P.M. Six Legislative members were present, Legislators Monell, Mullen and Sullivan being absent.

There were eight people in attendance along with Elaine Jardine, County Planning Director, William Ostrander, GIS Director, and Margaret Ball, Agricultural Development Specialist CCE Tioga.

The Clerk read the legal notice as published in the official newspapers.

Elaine Jardine, County Planning Director spoke. "Thanks for coming today. The anniversary of this eight-year review of the North Tioga Agricultural District comes up in July of this year and it is a 300-day review process. It started in September last year. We have done extensive outreach and data collection to farmers and owners of potential agricultural land in the Towns of Richford, Berkshire, and Newark Valley, and the Village of Newark Valley, and we are almost to the end now of the review process. We sent out letters for everyone affected on this map, all the landowners about the public hearing.

"As of today the number of acres in the district is 29,336. The number of acres in farms is 22,806 acres, which is about a 78% agricultural rate of parcels in the District. There is 103 farms and number of acres owned by the farmers is 21,494, number of acres rented is 1311. Since the last review in 2009 the data results add an addition of 5803 acres with 243 deleted. There was one request for removal, three parcels in the District that we got as a result of our mailing for the public hearing.

"Since the last review there is an increase of 64 acres in farms and added 31 farming enterprises during this review process. In our opinion it has been a very successful review and data collection for the District. The maps are on display here. There is a large one with property listings on it and then I have a smaller one here with number code to property listing and then listing of just each farm not each parcel by principle farm enterprise and these are on display for you to look at. After we close the hearing you can look at the maps, ask questions. We will stay here for a little bit after the close of the hearing. The next steps are the Legislature will adopt the continuation with these proposed modifications at their March 14th meeting. They will vote on adoption for that

and then everything gets submitted to New York State Department of Agriculture and Markets, Land and Water Resources."

Tim Lawton spoke. "There is a total number of acres and then a number of acres in farms, and then owned and rented. Is the acres in farm, is that actual farms being worked? Can you explain what each one of those is?"

Elaine Jardine spoke. "The numbers of acres owned by farmers and the number of acres rented by farmers, and really rented just means worked land from another. That total is the number of acres in farms in the District."

Tim Lawton spoke. "So the 29,000 number, that will be the total number of acres in the District?"

Elaine Jardine spoke. Yes, total number in the District. There can be a certain amount, up to 50% can be non-agricultural open space that has the potential for agriculture activities, so our rate runs at 78% actual agricultural land. That is the difference in those figures. If you want to I can e-mail you the new profile data. It has not changed much, just with the removal. This is what Ag and Markets requires us to compile by law."

There being no further comments, the hearing was adjourned at 1:06 P.M.

weighing matters that could potentially affect young people for the rest of their lives; and

WHEREAS: In August 2010 Judy became the County Attorney and as such became sole legal counsel to the Tioga County Legislature and all Tioga County departments, as well as counsel for all Legislative committees; and

WHEREAS: During Judy's tenure with the County she has maintained a working relationship that is marked by extreme conscientiousness and professionalism, often acting beyond the scope of her duties as legal counsel; and

WHEREAS: Judy's dedication to Tioga County did not end with her work day as is evidenced by her current and past service to many boards and organizations in the community such as Hospice, A New Hope Center, Senior Citizens Foundation, Rotary, and Owego Gymnastics. In addition, she attended monthly Board of Health meetings on behalf of the County before the work day began; and

WHEREAS: Judy Quigley has been a committed and diligent employee to Tioga County for over 30 years and will retire on March 17, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Judy Quigley for her 33 plus years of dedicated and professional service to Tioga County and its residents; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this exemplary employee, Judy Quigley.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

William Kenville, Safety Officer, spoke. "I work with and for Judy. I just wanted to come up here today and tell you that Judy is the best boss that I have ever had and I feel fortunate to have worked with her for the last three and a half years. Incidentally in his passed down notes to me former Safety

Officer, Mike McQueeney told me you were great to work for. I think he was right.

“You are one of the most intelligent and capable and hardworking people I have ever met. You are smart and tough, thoughtful, insightful. You are approachable and warm, and I thank you for that. Your work ethic is outstanding. Your willingness to help others and everyone seems to value and ask you for your input and participation was inspiring. We all knew that if you did not have an answer you would go dig it out and find it. I appreciated your leadership style, which allowed me to do my job unhindered by micromanagement, yet I always felt supported.

“You have an impressive command of a very diverse range of topics both work-related and private and I especially enjoyed our long chats, which often included Diane. I will miss those. I have learned a lot about a variety of things just being around you the last few years. You are truly a renaissance woman and an even greater human being. You will be missed and I wish you a long and happy and healthy retirement.”

Gary Hammond, Commissioner of Public Works spoke. “Judy, one of the things that was not mentioned is the flood we had in 2011 and your professionalism and patience with the Public Works Administration and your fore-right attitude and stick-to-itiveness in dealing with FEMA and SEMO, and doing right by the taxpayers was a joy to watch and a privilege to be part of. I wanted to thank you especially for that and the support you have provided my Department over the years.”

Judy Quigley, County Attorney spoke. “I am just going to thank everybody for all the years of working together. I see a lot of familiar faces out there that I have known forever and one day you will be up here to and be able to retire. I especially want to thank my staff, I see them back there, Stef, John, Anne and Bill of course, and unfortunately due to mother nature Diane is on her way. While she is not here because she would be all embarrassed anyway, I guess it goes without saying that she and I have worked together for more than 30 years and this is what is getting me crying is I am going to miss her a lot. It is not far to call her Secretary because she is more like, I cannot even name everything, Administrative Assistant, Paralegal, super sluff when it came to finding bills from the flood, my sounding board, my confidant, and most of all my friend. When you see her tell her I said nice things about her. She is one of the smartest people I know too and I am going to miss her.

“I am going to miss all of you. Working for the County has been really great and I am also really pleased that Peter Dewind agreed to come on board because I kind of see a lot of me in him. He appears to be a nice, friendly guy

and I think that you will enjoy working with him. Thanks very much everybody and I will miss you guys."

Diane Stephens, Secretary to County Attorney spoke. "First I have a little poem and then I will get more serious and hopefully I can get through all of this. Please no one take offense by anything I say. No more statements, no more petitions, no more motions or court decisions. No more contracts needing revision, no more I need it today submissions. No more research in law books or answering Legislators quizzical looks. No more PWs and FEMA red tape or the promises made that they just did not keep. Will the flood of 2011 surely be closed by the tenth anniversary do you suppose? No more RFPs for towers and shelters and such that so often left you in a great rush. No more claims and outside counsel for those matters so substantial for now you are passing on the mantle. Often put to the test you did your best. Your work for the County has come to a close, now on to retirement and all that it holds.

"I have had the privilege of working with Judy for almost 30 years. As bosses go, you could not ask for a better one. Her knowledge and work ethic made working for her a great experience and I learned a lot from her. While her expectations were high, she never made me feel inadequate, but talked and complimented a job well done, often encouraging me to step out of my comfort zone and take on other tasks. I think it says a lot when an employee can say that during 30+ years they never once lamented the boss they had and wished they had worked for someone else. We have worked with a lot of people over the years and not one person would be able to say that Judy did not do her job well. Her replacement has big shoes to fill. You can imagine that after working together for so long we have a lot of stories we could tell and, in fact, often found ourselves reminiscing and laughing about them. Having the same sense of humor helped and hopefully I can say this without offending anyone, working for the County all these years gave us great material. We not only had a great working relationship, but shared our personal stories, cares, problems and tears as well. I feel blessed to have worked for Judy. After all the very least she put up with me for all these years. Judy I wish the best in your retirement. You know I have mixed feelings. Happy for you but sad for me. I have enjoyed working with you, learning from you and sharing all those years with you. I will miss you."

Judy Quigley, County Attorney spoke. "I would just like to repeat what I said about you being more of a right hand man and an equal partner in our relationship all these years, that you were smart and capable, and I am going to miss you so much."

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 59-17 *RECOGNITION OF
JOAN KELLOGG'S 28 YEARS OF
DEDICATED SERVICE TO TIOGA COUNTY PUBLIC
HEALTH DEPARTMENT*

WHEREAS: Joan Kellogg was appointed to the position of Account Clerk Typist in the Public Health Department on February 21, 1989, and was promoted to Sr. Account Clerk Typist on October 2, 1989. She was again promoted on January 9, 1997 to Principal Account Clerk; and

WHEREAS: Earlier this year Joan was honored as the Public Health Team Member of the Quarter by her peers in Public Health; and

WHEREAS: Joan has spent a significant portion of her Public Health career working in our children services programs: Preschool Supportive Health Services and Early Intervention; and

WHEREAS: Joan Kellogg has been dedicated and loyal in the performance of her duties and responsibilities in Public Health. She has earned the respect of her colleagues and peers throughout Tioga County, as well as within the New York State Department of Health and State Education Department; and

WHEREAS: Joan Kellogg will retire on March 18, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Joan Kellogg for her over 28 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Joan Kellogg.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Chair Sauerbrey read and presented the following Proclamation on Women's History Month to Emma Sedore, County Historian. "I will read and present a Proclamation on the occasion of Women's History Month and also on the occasion of the 100th Anniversary of Women's Suffrage. We have some of our members here today and I would like you to join me up here while I read the Proclamation and present it, and then I would like you to know that we have been working on events for the suffrage movement this year. We are doing activities in Tioga County. We will be opening up the Courthouse for the community to come and take a tour and have a program about Women's Suffrage. We are also working with Broome County, Broome-Tioga Suffrage Committee to work on some projects together. Assemblywoman Lupardo was going to be here today, but she did get snowed in and so she wasn't able to make it. We are doing some great activities honoring women."

PROCLAMATION
WOMEN'S HISTORY MONTH

WHEREAS: Tioga County women, past and present, have contributed to the economic, social, and cultural success in every sphere of life; and

WHEREAS: Tioga County women have made countless chronicled, as well as undocumented, historic contributions to the growth and strength of our County; and

WHEREAS: Dr. Helen Dean King 1869-1955; Born in Owego, graduated from Bryn Mawr in 1892 and attained her PhD in 1899. In 1932 while assistant professor of embryology at the Wistar Institute of Anatomy at the University of Pennsylvania, she was selected as one of two women of highest attainment of scientific research in the world. At the turn of the century she was the only woman with the highest achievement to hold a professorship in research other than Madam Curie of France; and

WHEREAS: Alida V. Noble 1849-1929; Born in Newark Valley, attended Elmira College, taught mathematics for 10 years at Claverack College on the Hudson. While there, she began studying painting and was widely recognized as perhaps the best American copyist of the Old Masters; and

WHEREAS: Belva Lockwood 1830-1917, Born in Niagara County, later moved to Owego, became a teacher and opened the Owego Female Seminary on Front Street. She later moved to Washington, DC to study law, graduated and was later admitted to the Bar. In 1879 she was the first woman permitted to practice law in the Supreme Court of the U.S. In 1888 at the end of her career she ran for president of the United States; and

WHEREAS: Tioga County women have been leaders, not only in securing their own professions but in the rights of suffrage that of voting as a right rather than a privilege, and including equal opportunity; and

WHEREAS: Esther H. Morris 1814-1902; Born in Spencer, NY, resided in Owego and later moved to Wyoming where she had been the primary factor in lobbying for women's right to vote. A bill was passed in 1869 and for the first time that granted women the right to vote equally with men. In 1870, she became the first female Justice of the Peace in the United States. Today, there is a large statue of her in front of the State Capitol Building in Cheyenne, and a smaller one has been placed in Statuary Hall in Washington, DC.; and

WHEREAS: Elizabeth B. Chatfield 1844-1917; born in Owego, also fought for the rights of women and became the private secretary and close friend to Susan B. Anthony, fighting for women's

rights. When Ms. Anthony visited Owego to speak at the courthouse in 1894, she was Elizabeth's overnight guest on Front Street; and

WHEREAS: The Tioga County Legislature recognizes March as Women's History Month, and

WHEREAS: 2017 marks the 100th Anniversary of Women's Right to Vote in New York State, therefore

THE TIOGA COUNTY LEGISLATURE encourages all citizens of Tioga County to honor and respect those women who came before them; and to acknowledge and celebrate the sacrifices made by those who worked to secure the Right for Women to vote that was secured with the 19th Amendment to the Constitution in 1920.

Emma Sedore spoke. "I am honored to accept this Proclamation on behalf of Tioga County's Women's Suffrage Committee and also on behalf of women from the Towns in Tioga County. I also would be remiss if I did not make a special thank you to our Legislative Chairperson Marte Sauerbrey who is working very close as you heard with New York State Assemblywoman Donna Lupardo and Broome County for this year long event. We all want to make this 100 Anniversary special by demonstrating our appreciation, especially to the women of the 18th and early 19th Century. They struggled most of their lives to achieve their goal of getting us the vote in 1917. We will commemorate this by featuring special events throughout the year in all of our Towns and hopefully we will gain momentum as the year progresses, and hopefully everybody will join in.

"Our key event will be in the Courthouse in August and that should really be a wonderful event. We are still looking for volunteers also so if you think you would like to join us or you have any ideas that you think that we might be able to use, just let us know. One other thing our Committee would appreciate is if the Legislators of our County and the Town Boards would take the time to say thank you to some of these women from throughout the County that are what we call our "Suffrage Leaders" and their helping to celebrate this event with floats and talks, and you name it, whatever they come up with. In conclusion, I would like to just say as County Historian, all of these events and this special commemoration will go down in our history books. Thank you very much."

Chair Sauerbrey noted the following Proclamation on Child Abuse Prevention Month.

CHILD ABUSE PREVENTION MONTH PROCLAMATION

WHEREAS: The Tioga County Department of Social Services received 1,095 reports of alleged abuse/neglect involving 2,285 children in 2016; and

WHEREAS: Child abuse is a community problem and finding solutions depends on the involvement among people throughout the community; and

WHEREAS: The effects of child abuse are felt by whole communities, and need to be addressed by the entire community; and

WHEREAS: Effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, religious and civic organizations, law enforcement agencies, and the business community; and

WHEREAS: Programs like Cornell Cooperative Extension, Lourdes PACT and Finger Lakes Parenting Network offer support and educational services to families so families can help their child achieve his/her full potential within the community; and

WHEREAS: All citizens should become more aware of the negative effects of child abuse and prevention activities within the community, and become involved in supporting parents and families so that children can live in safe, nurturing homes; now therefore

THE TIOGA COUNTY LEGISLATURE, does hereby proclaim April 2017 as

CHILD ABUSE PREVENTION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in our efforts to insure that all children are raised in safe, nurturing families, thereby strengthening the communities in which we live.

Chair Sauerbrey noted the following Proclamation on National Poison Prevention Week.

County of Tioga EXECUTIVE PROCLAMATION

WHEREAS: Household and environmental poisons pose risks to Americans of all ages, while children under age 6 account for half of all cases of poison exposure; and

WHEREAS: More than 90 percent of poisoning deaths occur among people over the age of 20; and

WHEREAS: Most poisonings take place at home where cleaning products, cosmetics, and other chemicals are stored; and

WHEREAS: Everyone should also be aware of local environmental poisons, including plants, insects, and berries; practice safe food preparation and handling to avoid food poisoning; and guard against carbon monoxide by installing detectors for this colorless, odorless gas; and

WHEREAS: Lead poisoning, which is an increased level of lead in the blood, is especially dangerous for children; lead is found in drinking water from lead pipes and lead-contaminated paint, dust and soil are commonly found in older homes, specifically pre-1978 built homes; and

WHEREAS: If you suspect someone has been poisoned, fast action is essential, immediately call the toll-free Poison Help line. Do not wait for signs of poisoning; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of March 19-25, 2017 as

NATIONAL POISON PREVENTION WEEK

and urges all residents to take steps to educate themselves, their families, and the community about the importance of poison prevention.

Chair Sauerbrey gave the State of the County Address for 2016:

"I am very pleased to report the State of Tioga County's economy is growing and our county's finances are being strengthened through conservative spending and an infusion of funding from gaming revenue. Since the inception of the New York State Tax Cap, Tioga County has complied and kept taxes at or below the tax cap. Tioga County has historically spent conservatively and wisely maintaining a stable fund balance.

"Working across the county, our economic development team has created jobs and brought in new business and housing. They are working with towns and villages on funding opportunities that improve our downtowns and help create infrastructure. Instead of losing jobs we are attracting new jobs and bringing in new business and housing to the area. This month we held our third Tioga County Job Fair with 90 businesses participating and all of them had jobs,

some folks were hired on the spot. Our unemployment rate continues to stay at or below 5% and new businesses are spinning off from increased businesses development.

“Due to the strengthening economy and job opportunities as well as ongoing case management, Social Services program caseloads were reduced in all benefit program areas. Specifically, there was a 3% reduction in Cash Assistance cases, a 7% reduction in SNAP (Food Stamps) cases and an 8% reduction in Medicaid Cases. However, Tioga County continues to see an increase in Adult Protective investigations, a result of a growing demographic of elderly and vulnerable adults in our communities.

“In 2016 the Public Health Department celebrated their 50th Anniversary with an Open House. It turned out to be a great day sharing the history of Public Health in Tioga County with many agency representatives from the community, past employees, and individuals in the county attending the event.

“With the help of our County Attorney and Public Works we are continuing our efforts with the NYS Department of Homeland Security (DHSES) and FEMA to close out our last two Project Worksheets from the flood of 2011. Only two PW’s remain to be approved and payment returned to the county.

“Several years ago the county began the process of implementing new financial software that touched every department in the county operation. Last year we went live with payroll and now we are in the final stages of completion. This program makes us more efficient and provides more timely financial information.

“When planning for the future you can only depend on one thing and that is something is going to change. As I mentioned, change worked in our favor this year with additional income from Tioga Downs, plus there was an upswing in housing sales through new business development and more jobs.

“Change can bring heartbreak and sadness when we lose our leaders through untimely death. John Scott will always be remembered and held in high regard as our Tioga County Fire Coordinator and we appreciate his many contributions to our community. We thank those who have stepped up to carry on his work.

“Change also brings the retirement of critical leadership positions. Between last year and this we’ve had a significant change in leadership. Department Heads such as our County Attorney, Emergency Manager, Veterans Director and a Commissioner in the Board of Elections have or will be retiring. These are key positions. In the future we must plan for a smooth

transition and preserve historical knowledge. The County is in the early stages of developing a Succession Planning program that will prepare us for those essential positions affected by retirement or job change. Education and training is a form of preparedness that will help keep the knowledge and skill set that is critical for the operation of the county.

“The battle against substance abuse continues and last year we made a major change in our focus at the county level. The former Substance Abuse Coalition was struggling and I made a decision to bring the coalition back under county leadership. Together as a team, we refocused, and re-energized the program and started over. The Mental Health Department created an RFP and selected Trinity CASA as the new, alcohol and substance abuse counseling and prevention center for Tioga County. They have now taken a leadership role in the new Tioga County Allies in Substance Abuse Prevention Coalition. The success of this coalition depends on community wide involvement. Community members, faith based organizations, government agencies, non-profits, and elected officials make up our working group. We are also working with other counties and government organizations locally and across the nation.

“Winning the battle against substance abuse takes attacking the problem from many angles including Law Enforcement, Treatment, and Education. The District Attorney’s office is working with the Drug Court and that has proven effective in helping people get their lives together after a drug involved arrest. The Sheriff’s Department and Probation are actively involved in our coalition and helping us to understand the challenges that face addicted personalities. Counseling services are provided through our Mental Health Department for individuals and families for alcoholism and substance abuse as well as mental health issues. Our priority is to provide same day evaluation service. The Public Health department provided Tioga County Law Enforcement with trainings and opioid overdose prevention kits (NARCAN) which were used 16 times in 2016, with 15 lives saved.

“Working together we will have a direct and meaningful role in changing the direction of substance abuse in Tioga County.

“With the ever changing dynamic of Information Technology, small governments need to pay attention and insure our critical and personal information is secure and confidential. We have established an Information Security Officer and completed an Information Security and HIPAA Security Risk Assessment of our vulnerabilities. We are working on the processes and procedures that are needed to insure security.

“The role of government is ever changing. As we look forward, I am concerned about the efforts of State Government to create more unfunded

mandates for New York counties. We are required to provide more programs and services with no additional funding while staying at the Tax Cap. Consolidation and Shared Services is something we have done for years. Tioga County Towns and Villages work together to share services, highway departments and schools work together to become more efficient. We are always looking for ways to save money and I object to the thought that local government is the cause of high taxes in New York State. This is a Home Rule State but it feels like our decision making powers are being taken away from us.

"The only way I see our way out of this problem is to become less dependent on the state and more focused on our efforts to create jobs and bring in more business.

"Each year that goes by brings a new challenge for local government whether it's from other levels of government, natural disasters or just daily life. We mark each day we serve and protect the people of Tioga County as a "good day", a day to be proud and a day to be thankful for those freedoms and the ability to govern."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of February 14 and 23, 2017, seconded by Legislator Hollenbeck, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 60-17 *HOME RULE REQUEST IN SUPPORT OF S4089/
A5907: EXTENDING THE CURRENT AND
IMPOSING ADDITIONAL SALES AND
COMPENSATING USE TAXES BY THE COUNTY
OF TIOGA*

WHEREAS: The continuation of previously authorized additional sources of revenue is required to enable counties, such as Tioga County to meet the ever-increasing costs of delivering essential governmental services to their citizens without undue reliance on local property taxes; and

WHEREAS: State Legislative authority is needed to extend the current sales and compensating use taxes for the County of Tioga at the same level and upon the same terms and conditions as now currently exist; now therefore be it

RESOLVED: That the Tioga County Legislature hereby requests the enactment of Senate bill number S4089 and Assembly bill number A5907 entitled "An Act to Amend the Tax Law in relation to extending the authorization of the County of Tioga to impose an additional one percent of sales and compensating use taxes".

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 61-17 *DMV FEE RETENTION INCREASE*

WHEREAS: 51 of 62 New York Counties are mandated by the State to operate a local Department of Motor Vehicles Office; and

WHEREAS: Local DMV offices process many no fee transactions on behalf of the state and provide numerous customer services; and

WHEREAS: Under current law, the Tioga County Clerk pays 87.3% of all fees collected from the work performed by the County DMV to the New York State Motor Vehicles Department; and

WHEREAS: The remaining 12.7% county share has not been increased since 1999, yet the amount of work required by the County DMV office has increased in that same time period; and

WHEREAS: Increasing the County DMV revenue sharing rate with the State will not result in any increased cost or fees to local residents or taxpayers and will

provide counties with the needed revenue to continue to provide necessary local government services; and

WHEREAS: There is a clear inequity present when a county DMV provides all the services, including overhead and staffing to fulfill these DMV needs for state residents, yet the State is paid 87.3% of the revenue generated from said services; and

WHEREAS: Senate Bill S1908 and Assembly Bill A3397 provide a more equitable distribution of fees that would require 75% of all fees for in-office transactions to be forwarded to the State with the county retaining 25% of these fees, with the exception that the amount of county retention of the fee for Enhanced Driver's Licenses would increase from 30% to 60% and the counties would retain 8% of the total fee for internet transactions processed for their perspective county residents; and

WHEREAS: Counties recognize the important function of the State DMV in providing both support to counties and resident services; accordingly any loss the State DMV operational budget that occurs from increasing county revenue should be made whole through the State General Fund; now therefore be it

RESOLVED: That the Tioga County Legislature calls upon Governor Andrew M Cuomo and members of the State Legislature to pass and approve Senate Bill S1908 and Assembly Bill A3397; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature forward copies of this resolution to Governor Andrew M Cuomo, the New York State Executive Deputy Commissioner of Motor Vehicles, and Tioga County representatives of the New York State Legislature.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: COUNTY CLERK COMMITTEE

RESOLUTION NO. 62-17 *AUTHORIZE INCREASE IN ADMINISTERING MORTGAGE TAX BY THE TIOGA COUNTY CLERK AS APPROVED BY NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE*

WHEREAS: Section 262 (Article 11) of the New York State tax law mandates that recording officers are entitled to receive for the county all necessary expenses for the purpose of administration of the mortgage tax in their office and approved allowance by the New York State Department of Taxation and Finance; and

WHEREAS: The Tioga County Clerk has requested proper compensation that are reasonable and necessary allowances to cover county expenditures for collection, disbursements of the mortgage tax; and

WHEREAS: The Tioga County Clerk's office has submitted to the New York State Department of Taxation and Finance a mortgage expense request of \$123,024.00 per year; and

WHEREAS: The Tioga County Clerk has been authorized by New York State Department of Taxation and Finance to increase the mortgage expense to be \$123,024.00 for the period of April 2017 – April 2018; be it therefore

RESOLVED: That the County Clerk be authorized to collect or withhold from its disbursements in twelve (12) equal monthly installments of \$10,252.00 at a total annum amount of \$123,024.00.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 63-17 *AUTHORIZE TRANSFER OF FUNDS FOR PURCHASE OF
 CHAIRS FOR THE ECONOMIC DEVELOPMENT &
 PLANNING CONFERENCE ROOM*

WHEREAS: The Economic Development & Planning Department is replacing the conference room chairs in the Economic Development & Planning Conference Room; and

WHEREAS: Economic Development and Planning put \$1800.00 in the 2017 chairs expense account budget to cover the estimated cost for the purchase of the chairs; and

WHEREAS: Upon researching the actual cost of the conference room chairs it is necessary to increase the chairs expense account by \$509.10 for the purchase of the chairs; therefore be it

RESOLVED: That the Director of Economic Development & Planning be authorized to purchase the conference room chairs for the Economic Development and Planning Conference Room and that the following sums be transferred for this purchase:

From: ED&P Account A6422 - 540010 \$509.10

To: ED&P Account A6422 - 520070 \$509.10

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 64-17 APPROPRIATION OF FUNDS
PUBLIC HEALTH

WHEREAS: Public Health has been awarded funding from Care Compass Network to be used specifically toward a “Richford Smiles” event to be held in the Town of Richford; and

WHEREAS: “Richford Smiles” will provide dental services, public health education and access to a number of other services to Tioga County residents in the Richford area; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4064 422800	Dental Services: Grants	\$ 5,000
To: A4064 540640	Dental Services: Supplies	\$ 5,000

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 65-17 FUND TRANSFER TO FACILITATE
RESPIRATOR PHYSICALS AND FIT
TESTING

WHEREAS: The Sheriff's Office was inspected by a representative of the NYS PESH (Public Employee Safety and Health) and was found to be non-compliant in providing physicals and fit test for personnel who may be required to utilize respirators; and

WHEREAS: The Sheriff's Office must now provide physicals and respirator fit test to required employees; and

WHEREAS: Funding to pay for these physicals and fit testing is not available within the Sheriff's Office 2017 operating budget and it is requested that this funding be acquired from the Contingency Account, now therefore be it,

RESOLVED: That the following funds be transferred and appropriated as follows:

From:	A1990 540715	Contingency Account-Transfers	\$9,000
To:	A3110 540470	Physicals	\$9,000

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 66-17 *TRANSFER OF CAPITAL FUNDS-
SHERIFF OFFICE*

WHEREAS: Funding in the amount of \$20,000 was approved in the 2017 Jail Capital Budget for the purchase of a prisoner transport van; and

WHEREAS: Purchase bids were solicited through the NYS OGS (Office of General Services) Vehicle Market place for the procurement of a prisoner transport van; and

WHEREAS: Three bids were received, with all three exceeding the budgeted amount of \$20,000; and

WHEREAS: Budgeted surplus capital funds under the Sheriff's purview are available to be utilized to bridge the funding gap to procure a prisoner transport van; therefore it be

RESOLVED: That the following funds be transferred to provide for adequate funding for the purchase of a prisoner transport van:

From: H3150 520130	Equipment (Not Car)	\$ 2,400
H3110 520130	Equipment (Not Car)	\$ 1,600
To: H3150 521060	Car/Truck	\$ 4,000

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 67-17 APPOINT MEMBERS ALTERNATIVES TO INCARCERATION ADVISORY BOARD

RESOLVED: That the following members be appointed to the Alternatives to Incarceration Advisory Board for the following terms:

	TERM
Ex-Offender	4/1/17-3/31/18
Crime Victim	4/1/17-3/31/18
State Certified Provider of Alcohol and/or Substance Abuse Treatment	4/1/17-3/31/18

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: ED&P & AGRICULTURE COMMITTEES

RESOLUTION NO. 68-17 *ADOPT THE NORTH TIOGA AGRICULTURAL DISTRICT (#3) AS MODIFIED AND SUBMIT SAME TO THE NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS FOR APPROVAL*

WHEREAS: Pursuant to the New York State Agriculture and Markets Law Article 25AA and upon 300-day notice by the Department of Agriculture and Markets, the Tioga County Legislature has initiated a review of the existing North Tioga Agricultural District (#3) to determine if it should be modified or terminated; and

WHEREAS: The Agricultural and Farmland Protection Board has been requested by the Legislature to review the District and make a recommendation for revision or termination; and

WHEREAS: The Tioga County Planning Department has conducted this review and has created a corresponding plan based on public comments, surveys and extensive consultation with area farmers that results in expanding the North Tioga Agricultural District to a total of 29,336 acres with 22,806 acres in farms, including 31 added farms; and

WHEREAS: By unanimous resolution the Agriculture and Farmland Protection Board did adopt said proposed plan for modification of the North Tioga Agricultural District; and

WHEREAS: A public hearing was held on March 1st, 2017 where the District map and findings along with the proposed modifications were presented to the public; and

WHEREAS: The proposed district review report is comprised of the map and findings filed with the Clerk of the County Legislature for the public comment period and copies showing proposed revisions were presented at the public hearing; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: This plan has been found to have "little likelihood of significant adverse environmental impact..." consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; therefore be it

RESOLVED: That based upon Tioga County Planning's review of the above as outlined on the SEQR Short Environmental Assessment Form, the Tioga County Legislature make a SEQR Negative Declaration regarding said modifications to the North Tioga Agricultural District; and be it further

RESOLVED: That the Tioga County Legislature does hereby approve said proposed plan to modify the North Tioga Agricultural District, and directs the Planning Department to prepare a submission package as required by the NYS Department of Agriculture and Markets describing this proposal, along with the associated SEQR Environmental Assessment Form, and to submit same on behalf of the Legislature to that agency for review as described in Article 25AA; and be it further

RESOLVED: That it is intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make this North Tioga District modification effective immediately.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE
AGRICULTURE COMMITTEE

RESOLUTION NO 69-17 *AUTHORIZE 2017 REQUESTS FOR INCLUSION OF
LANDS IN AGRICULTURAL DISTRICTS*

WHEREAS: In accordance with §303-B of the NYS Agricultural and Markets Law 25-AA, the Tioga County Planning Department has solicited agricultural land owners to request inclusion of lands in agricultural districts; and

WHEREAS: Tioga County Planning has received requests for inclusion of land in agricultural districts and prepared the required report listing these requests, which are located within the Spencer and Owego/Nichols Agricultural Districts, and totaling nearly 495 acres; and

WHEREAS: The County Legislature has indicated its desire to be designated lead agency for SEQR (State Environmental Quality Review) requirements; and

WHEREAS: Tioga County Planning has found this plan to have "little likelihood of significant adverse environmental impact..." via completion of the SEQR Short Environmental Assessment Form, which is consistent with the programmatic review of environmental effects of agricultural districting by the New York State Department of Agriculture & Markets; and

WHEREAS: The Tioga County Agricultural and Farmland Protection Board has reviewed said report and determined that the land to be included consists of viable agricultural land and its inclusion will serve the public interest by helping to maintain a viable agricultural industry within the District and therefore recommends County Legislature approval of inclusion of lands into their respective agricultural districts; and

WHEREAS: The Tioga County Legislature has held the required public hearing and no opposition was heard; therefore be it

RESOLVED: That the Tioga County Legislature makes a SEQR Negative Declaration and approves the 2017 requests for inclusion of land listed in said report into the Spencer and Owego/Nichols Agricultural Districts, and be it further

RESOLVED: That the Tioga County Legislature directs the Tioga County Planning Department to submit said report to the Commissioner of NYS Department of Agriculture and Markets for final certification; and be it further

RESOLVED: That it is the intent of this body, upon approval by the Commissioner of NYS Department of Agriculture & Markets, to make these inclusions to the Spencer and Owego/Nichols Agricultural Districts effective immediately.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

ED&P COMMITTEE

RESOLUTION NO. 70-17

*AUTHORIZE APPLICATION FOR NYS DOS
COUNTYWIDE RESILIENCY PLANNING
GRANT*

WHEREAS: The NYS Department of State's Office of Planning and Development has made available a funding opportunity for counties to create a Countywide Resiliency Plan that will identify methods of making the community and economy more resilient and therefore less impacted by significant flood events; and

WHEREAS: Tioga County realizes the importance of identifying projects that will make our community and economy more resilient before a flood disaster so that recovery happens more swiftly; and

WHEREAS: This grant source requires no local match and allows a maximum request of \$250,000 in funding per application; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to NYS Department of State in the amount not to exceed \$250,000.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 71-17 *FILING OF AN APPLICATION FOR STATE ASSISTANCE FROM THE HOUSEHOLD HAZARDOUS WASTE (HHW) STATE ASSISTANCE PROGRAM AND SIGNING OF THE ASSOCIATED STATE MASTER GRANT CONTRACT, UNDER THE APPROPRIATE LAWS OF NEW YORK STATE*

WHEREAS: The State of New York provides financial aid for household hazardous waste programs; and

WHEREAS: Tioga County, herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws; and

WHEREAS: It is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid; now therefore be it

RESOLVED BY THE TIOGA COUNTY LEGISLATURE:

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized.

2. That Tioga County's Legislative Chair, or his/her designee is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application, to sign the resulting contract if said application is approved by the State; and to provide such additional information as may be required.
3. That the MUNICIPALITY agrees that it will fund the entire cost of said household hazardous waste program and will be reimbursed by the State for the State share of such costs as indicated in the contract.
4. That two (2) Certified Copies of this Resolution be prepared and sent to the New York State Department Environmental Conservation together with a complete application.
5. That this resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 72-17

*AWARD FIRE AND SECURITY ALARM
DIALER REPLACEMENT*

WHEREAS: There is a need to replace the fire and security alarm dialer so that it will function correctly with the new VOIP phone system; and

WHEREAS: The Commissioner of Public Works has budgeted for the replacement of the fire and security alarm dialer in the current year budget; and

WHEREAS: The Commissioner of Public Works has received proposals for replacement of the alarm dialer and the proposals came in as follows:

Red Hawk Fire & Security	\$13,257.00
Syracuse Time & Alarm	\$15,224.03

And

WHEREAS: The Commissioner of Public Works completed the review of the proposals and finds the low bidder Red Hawk Fire & Security meets all of the qualifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the replacement of the fire and security alarm dialer to Red Hawk Fire & Security, 7020 Fly Road E, East Syracuse, NY 13057 not to exceed \$13,257.00 to be paid out of H1620 520160 Fire & Alarms Equipment.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 73-17

*RESCIND RESOLUTION NO. 39-17
AUTHORIZING THE IMPLEMENTATION AND
FUNDING IN THE FIRST INSTANCE 100% OF
THE FEDERAL AID AND STATE "MARCHISELLI"
PROGRAM-AID ELIGIBLE COSTS OF A
TRANSPORTATION FEDERAL-AID PROJECT
AND APPROPRIATING FUNDS*

WHEREAS: Resolution No. 39-17 authorized the implementation and funding in the first instance 100% of the Federal Aid and State "Marchiselli" Program-Aid eligible costs for a transportation Federal-Aid Project and appropriated funds therefore; and

WHEREAS: Resolution No. 39-17 appropriated the sum of \$15,000 from the Bridge Projects Account D5110.540050; and made available to cover the cost of participation in the above phase of the Project; and

WHEREAS: The amount should have been \$25,000; therefore be it

RESOLVED: That Resolution No. 39-17 is hereby rescinded and a new resolution will be adopted with the correct amount.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 74-17 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Tioga County Bridge Maintenance Program – Phase 3 - (FFY 17), PIN 9753.99 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering and Design (Phases 1 – 6) work;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering and Design (Phases 1 – 6) work for the Project or portions thereof; and it is hereby further

RESOLVED: That the sum of \$25,000 is hereby appropriated from the Bridge Projects Account D5110.540050; and made available to cover the cost of participation in the above phase of the Project; and it is hereby further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is hereby further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is hereby further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is hereby further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 75-17

*AUTHORIZE EXECUTION OF
COOPERATIVE AGREEMENTS
BETWEEN THE LAW DEPARTMENT,
ITCS, SHERIFF, PUBLIC HEALTH, DSS,
AND MENTAL HYGIENE*

WHEREAS: Tioga County has implemented a Direct Charge Pilot Program that will maximize State reimbursement for legal and IT expenses while eliminating the administrative burden of charging all departments for those expenses; and

WHEREAS: The Law Department and ITCS will directly charge the Department of Social Services, Public Health and Mental Hygiene for its services and support pursuant to Cooperative Agreements; and

WHEREAS: The Sheriff's Department will directly charge the Department of Social Services for security services, escort, protection and transport services; therefore be it

RESOLVED: That the Legislature authorizes and directs the Chair to execute Cooperative Agreements between the Law Department and ITCS and DSS, Public Health and Mental Hygiene; and be it further

RESOLVED: That the Legislature authorizes and directs the Chair to execute a Cooperative Agreement between the Sheriff's Department and DSS; and be it further

RESOLVED: That the Cooperative Agreements between DSS and the Law Department, ITCS and Sheriff shall be submitted to the New York State Office of Temporary and Disability Assistance and the Office of Children and Family Services for approval.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO

PERSONNEL COMMITTEE

RESOLUTION NO. 76-17

AMEND COUNTY POLICY 10;
PERSONNEL POLICIES

WHEREAS: There is a desire to document the County's long standing position on supplemental employment and alternate work schedules to accommodate supplemental employment; therefore be it

RESOLVED: That effective March 15, 2017, a new Section IX shall be added to Policy 10, which reads as follows:

IX: *SUPPLEMENTAL EMPLOYMENT*

1. All County employees are prohibited from performing work for any employer other than Tioga County on County time per Policy 26, Tioga County Ethics Law III A,2
 - A. Any adjustment to an employee's work schedule for the purpose of accommodating supplemental employment must be requested in advance in writing from the Department Head or, in the instance of a Department Head requesting revision of their schedule, the Chair of the Legislature. Whether such request is approved is the sole discretion of the Department Head or Chair of the Legislature.
 - I. In the event an employee receives approval to work a reduced number of hours on any given day to accommodate supplemental employment, those hours not worked for the County shall be offset by a charge of the employee's leave accruals; there shall be no opportunity to "make up" the County hours not worked. In the event the employee has insufficient leave time other than sick time to cover the hours not worked, said hours not worked shall be reported as a leave of absence without pay.

and be it further

RESOLVED: That the remainder of Policy 10 is unchanged.

Legislator Hollenbeck made a motion to amend the above resolution, seconded by Legislator Huttleston and to read as follows:

Change the effective date from March 15, 2017 to "March 17, 2017".

ROLL CALL VOTE ON AMENDED RESOLUTION

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan Hollenbeck and Huttleston

No – None.

Absent – Legislator Weston.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan Hollenbeck and Huttleston

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 77-17 REAPPOINTMENT OF COUNTY HISTORIAN

WHEREAS: Emma Sedore was first appointed Tioga County Historian on November 13, 2001; and

WHEREAS: She is a dedicated Historian; and

WHEREAS: Her term is set to expire March 31, 2017; therefore be it

RESOLVED: That Emma Sedore of Owego, New York, is hereby reappointed County Historian for a two-year term from April 1, 2017 until March 31, 2019.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 79-17

*AUTHORIZE TEMPORARY APPOINTMENT
(LAW DEPARTMENT)*

WHEREAS: The position of Special County Attorney was created for the period March 13, 2017 through April 3, 2017; and

WHEREAS: Judy Quigley is retiring as County Attorney effective March 18, 2017 but is willing to continue working to transition the workload to her replacement; therefore be it

RESOLVED: That Judy Quigley is hereby appointed to the temporary position of Special County Attorney effective March 20, 2017 through April 3, 2017 at an hourly rate of \$58; and be it further

RESOLVED: That Judy Quigley is authorized to work up to 35 hours per week during the time period indicated, to be determined by her and the County Attorney; and be it further

RESOLVED: That the Special County Attorney position shall be abolished as of close of business April 3, 2017.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 80-17 CREATE AND FILL HIGHWAY WORKER
(SEASONAL) POSITION
PUBLIC WORKS

WHEREAS: There will be a need for the Highway Department to employ one seasonal Highway Worker (Seasonal) for 2017; and

WHEREAS: The Commissioner of Public Works has budgeted money to cover expenditures of such employment; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create and fill one (1) temporary full-time Highway Worker (Seasonal) position effective April 29, 2017 through October 13, 2017 at an hourly rate of \$9.89, however no more than 1000 hours may be worked April 29, 2017 – October 13, 2017.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
PERSONNEL

RESOLUTION NO. 81-17 CREATE TWO (2), FULL-TIME
TEMPORARY CONSTRUCTION
INSPECTOR POSITIONS PUBLIC WORKS

WHEREAS: There will be a need for the Public Works Department to employ inspectors to monitor construction projects occurring on county roads and bridges during the 2017 construction season; and

WHEREAS: The Commissioner of Public Works has identified a cost savings by creating two (2) full-time, temporary Construction Inspectors who possess the necessary credentials through the National Institute for Certification in Engineering Technologies (NICET) and to work for a duration of at least 12, but no more than 25 weeks during 2017; therefore be it

RESOLVED: That the Commissioner of Public Works is hereby authorized to create two (2) full-time, temporary Construction Inspector positions effective April 1, 2017 at an hourly range between \$25.00 (NICET Level II) to \$50.00 (NICET Level IV); and be it further

RESOLVED: That two (2) Construction Inspectors will be employed for a temporary duration not to exceed 25 weeks.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 82-17 *ABOLISH ONE (1) VACANT FULL-TIME CLINICAL SOCIAL WORKER; AND CREATE ONE (1) FULL-TIME CERTIFIED ALCOHOL & DRUG COUNSELOR DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Legislative approval is required to abolish and create any positions within Tioga County; and

WHEREAS: A Clinical Social Worker position (CSEA SG XVI, \$50,994 – 51,694) has been vacant since July 2016 and since that time the Department of Mental

Hygiene has been unable to recruit for this position due to a lack of qualified candidates; and

WHEREAS: The Director of Community Services has determined that said vacancy would be better utilized and prove less difficult to recruit and retain if classified as a Certified Alcohol & Drug Counselor position; therefore be it

RESOLVED: That one (1) vacant full-time Clinical Social Worker position shall be abolished and one (1) full-time Certified Alcohol & Drug Counselor position (CSEA SG XI, \$39,015 - \$39,715) shall be created effective March 15, 2017.

Legislator Hollenbeck made a motion to amend the above resolution, seconded by Legislator Monell and to read as follows:

Change the effective date from March 15, 2017 to "March 17, 2017".

ROLL CALL VOTE ON AMENDED RESOLUTION

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan Hollenbeck and Huttleston

No – None.

Absent – Legislator Weston.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan Hollenbeck and Huttleston

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Chair Sauerbrey spoke. "I just want to make a couple of comments. Again, welcome to Peter. We look forward to working with you in the future. I also want to say thank you to the Public Works folks and our temporary Emergency Manager, the Sheriff for handling our circumstances this week. I feel like Tioga County did very well handling the snow and the snow removal, and it is very appreciated."

The meeting was adjourned at 12:44 P.M.

of Mortgages at Page 101 to secure a consolidated mortgage lien in the amount of \$1,531,704.00; and

WHEREAS: The Mortgagors defaulted on the Consolidated Mortgage; and

WHEREAS: By Resolution No. 365-04, passed December 22, 2004, the Tioga County Legislature authorized a Settlement in lieu of a foreclosure, by which terms the mortgaged premises were conveyed by the Mortgagor Howland Brothers Co., Inc. to Tioga County by quitclaim deed in lieu of foreclosure dated December 30, 2004 and recorded the same day, Instrument No. 116393, but the liens of the mortgages and said Mortgage Consolidation, Spreader and Extension Agreement did not merge with the conveyance of the fee title, nor did Tioga County waive its right to institute a foreclosure proceedings on said mortgages, Mortgage Spreader and Extension Agreement and obligations secured by it; and

WHEREAS: The current owner of the premises Tioga Hardwoods Manufacturing, LLC has requested that Tioga County execute a Discharge of Mortgages to clear the title to the property; and

WHEREAS: It appears that Tioga County no longer has any financial interests to claim related to this property; now therefore be it

RESOLVED: That the Chair of the Tioga County Legislature is authorized and directed to execute a Discharge of Mortgage discharging the above referenced mortgages; and it is further

RESOLVED: That the Discharge of Mortgage shall be recorded in the Tioga County Clerk's Office.

ROLL CALL VOTE

Yes – Legislators Mullen, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislators Monell and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 84-17 AWARD BID FOR RADIO SITE DEVELOPMENT
(CANDOR- CARMICHAEL- POPPLE)

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: The Tioga County Bureau of Fire sought bids for Radio Site Development; and

WHEREAS: The Tioga County Bureau of Fire received three sealed bids on March 9, 2017 as follows:

Infinigy Solutions, LLC 1033 Watervliet Shaker Road, Albany, NY 12205	\$735,000.00
Mid-State Communications 185 Clear Road, Oriskany, NY 13424	\$543,100.00
Pyramid 6519 Towpath Road, East Syracuse, NY 13057	\$758,172.00

and

WHEREAS: Blue Wing Services Inc. has determined that Mid-State Communications was the low bidder at \$543,100; therefore be it

RESOLVED: That the Tioga County Legislature does hereby award the bid, upon approval by the County Attorney, to Mid-State Communications as the low cost, compliant bidder for the sum of \$543,100.00.

Legislator Mullen made a motion to amend the above resolution, seconded by Legislator Hollenbeck as follows:

Change the amount of \$543,100.00 to "\$593,100.00" in the third and fourth whereas' and also in the resolved.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Mullen, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislators Monell and Sauerbrey.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Mullen, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislators Monell and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Monell arrived at 10:05 A.M.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 85-17	<i>AUTHORIZE BACKFILL (EMERGENCY PREPAREDNESS)</i>

WHEREAS: The position of Deputy Director of Emergency Preparedness has been vacant since January 6, 2017; and

WHEREAS: The Director of Emergency Preparedness position is also vacant so the County Legislature conducted interviews for the Deputy Director position and selected a candidate from the civil service eligible list; therefore be it

RESOLVED: That Robert Williams is hereby appointed part-time Deputy Director of Emergency Preparedness (7.5-8.5 hrs/wk) effective March 27, 2017 at an annual salary of \$5,200.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 86-17 *AUTHORIZE BACKFILL AND NAME ACTING
DIRECTOR
(EMERGENCY PREPAREDNESS)*

WHEREAS: The position of Deputy Director of Emergency Preparedness has been vacant since August 23, 2015; and

WHEREAS: The Director of Emergency Preparedness position is also vacant so the County Legislature conducted interviews for the Deputy Director position and selected a candidate from the civil service eligible list; and

WHEREAS: The County Legislature recognizes the importance of having a Director of Emergency Preparedness in place; therefore be it

RESOLVED: That Michael Simmons is hereby appointed part-time Deputy Director of Emergency Preparedness (7.5-8.5 hrs/wk) effective April 3, 2017 at an annual salary of \$5,200; and be it further

RESOLVED: That Mr. Simmons is immediately, upon appointment, named part-time Acting Director of Emergency Preparedness (19 hrs/wk) at an annual salary of \$22,000; and be it further

RESOLVED: That the Acting Director designation shall end upon the appointment of the Director of Emergency Preparedness.

ROLL CALL VOTE

Yes – Legislators Monell, Mullen, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:06 A.M.

Fourth Regular Meeting
April 11, 2017

The Fourth Regular Meeting of 2017 was held on April 11, 2017 and was called to order by the Chair at 12:00 P.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Mullen to have a moment of prayer. "Dear Lord, we thank you for giving us this time together to conduct the people's business of Tioga County. We thank you for the wonderful weather and welcome spring. We thank you for the wonderful Easter season that is coming this weekend that we celebrate Easter, many of us in this room. We thank you for this time together in fellowship and doing the County's business."

Legislator Mullen led all Legislators and those in attendance in the Pledge of Allegiance.

There were 39 people in attendance.

William Ostrander of the Employee Recognition Committee presented the Employee of the 4th Quarter 2016 and Employee of the year 2016 to Mary Hogan of the Information Technology Department. "First I want to thank the Legislature for supporting this program. It means a lot to the employees and there seems to be a certain joy I notice as we announce employees of the quarter, when we go and visit the people and let them know they are the employee of the quarter. I think they like being employee of the quarter, though a lot of them do not really like standing up here in front of everybody. A lot of them work behind the scenes and our employee of the 4th quarter is also our employee of the year for 2016.

"Her name is Mary Hogan. Many of you know her, but if you don't you can be forgiven because she is a behind the scenes person who works behind the scenes of the people who are behind the scenes. She keeps a very low profile.

"Mary Hogan is one of those county employees who, behind the scenes, keeps the county going. Mary began working for the county as a Junior Computer Programmer in August 1998. She earned a promotion to Computer Programmer on January 1, 2000 and then to her current position as Computer Programmer Specialist in July 2005. The county computer programmers were responsible for programming the AS\400 server to track and manipulate all kinds of County data including payroll and other financial records, print checks and tax bills, and generate reports. Mary has been instrumental in transitioning the County from the AS\400 to Munis, an off-the-shelf financial software program.

There has been a great deal of troubleshooting to do since the County is using a new *Beta* version of the software. Mary acts as the liaison between County users and the software company to overcome the many bugs found in the program.

“Mary’s dedication to serving the County is often demonstrated by her working on Sundays to resolve problems and meet deadlines. Recently, she did this in order to develop complex spreadsheets to satisfy the special payroll requirements of the Sheriff’s Union Retroactive Arbitrage Ruling.

“Mary is a native of Owego and therefore has a personal commitment to the welfare of Tioga County. She is an avid fan of the LPGA and the New York Yankees. She loves to read and has a growing interest in wild birds and hopes to develop that interest further. She visits my office every day to check out the bird of the day calendar. The bird of the day today is the Painted Bunting, which is one of her favorites.

“Here are some snippets about her from her nominators. She had quite a few nominators, they were like Arnold Schwarzenegger’s of nominating. Without hesitation Mary is always willing and able to take on projects and help with our IT needs. I refer to Mary as the fire department. She is always over here helping somebody put out a fire, a programming problem or generating report as soon as possible, or finding an old file. We have witnessed Mary’s steadfast dedication to this project and overall dedication to the County. Mary has routinely exhibited going above and beyond to assist in whatever capacity she can to make this be a successful transition from the former system to the new financial system while still maintaining the AS400 system.

“Outside of Mary’s job description she has been very instrumental in the following areas: Fixed assets, payroll, Munis support, 2017 budget process. Mary is a team player. Mary is an exemplary employee and a valuable asset to Tioga County. It seems like Mary is needed at least once a day in the Treasurer’s Office. She is patient and kind when explaining things or offering assistance. She is very helpful. She responds quickly to the needs of our office and I am sure she is just as friendly and helpful to everyone else. Mary is always ready to help in any way she can. She is always a pleasure to work with. She has also been a great source of information for me as I learn how Munis and all the computer programs work. Tioga County is lucky to have someone like her. Mary is very persistent to solve whatever problems might occur to keep everything going smooth. We want to congratulate you.”

Doug Camin, Information Technology Director spoke. “I do not know that there is too much more that I can add that hasn’t already been said, but I can definitely reiterate all the many nice and wonderful things that have been said about Mary and the work that she does, and the way that she contributes to our

department. I am still the newest employee in my department and one of the things that is very fortunate is that I came in to such a great team and Mary is one critical aspect of that team who has brought just an immense amount of knowledge and technical wherewithal and just an immense work ethic that will be missed one day when you are no longer here. Hopefully that day will be a ways. Thank you for your work and congratulations."

Legislator Loretta Sullivan spoke. "Congratulations Mary. Bill mentioned several times behind the scenes, behind the scenes, I am surprised by that. If anyone in this room has never heard of Mary and never been involved with fixes that she helped you out with, if you have never heard of her please raise your hand. I cannot tell you the number of times through the years that I have worked with your Committee and just with the Legislature in general, I think in every committee's meeting at some point or another the name Mary Hogan has popped up, singing the praises all over the place.

"Mary is the type of person that has a job that is brought in in an emergency. This is broken, we have to fix it yesterday. Many of you here have a job like that and many of you do not. On each and every occasion like that as has been mentioned by her coworkers and her Director she is johnny on the spot, she is there. There have been times that we have had issues that were so intense that, is there a couch up there because you spent almost 24 hours a day on working on solutions. As far as I am concerned and the rest of the Legislature, you are not behind the scenes, your merits have been brought to the attention of the Legislature for years and I truly from the bottom of my heart am thrilled to have someone like you on our Team and I appreciate you very much."

Mary Hogan spoke. "Thank you. This really means a lot. I really appreciate everything everyone said and I will keep working."

Chair Sauerbrey noted that we have three recognition resolutions this month.

Legislator Mullen read and presented the following recognition resolution to Douglas Swarts.

Legislator Mullen read and presented the following recognition resolution to William Spangenburg.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 88-17

*RESOLUTION RECOGNIZING
WILLIAM SPANGENBURG'S
25 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: William Spangenburg was appointed as a Corrections Officer on 12/30/91; and

WHEREAS: William Spangenburg has been dedicated and loyal in the performance of his duties and responsibilities during the past 25 years to Tioga County, thereby earning the respect of his colleagues and peers throughout Tioga County; and

WHEREAS: William Spangenburg will retire from the Tioga County Sheriff's Office on March 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to William Spangenburg for his 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, William Spangenburg.

ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Mullen spoke. "I want to just say a few quick words about what it is to be a Corrections Officer and both these gentlemen at times throughout my time as a State Trooper here in Tioga County and when we would drop off individuals to the jail, one of the things that is common with police officers when they are taking someone to jail is in their backseat they are whining and carrying on, maybe being a little violent, not a nice person to deal with, you turn around and you say why don't you be quiet because I am taking you to the jail and going to drop you off and forget about you. Maybe it is not a nice thing to say as a police officer, but we feel that way because we get to leave them in these guys hands and I can tell you that professionalism and the dedication and duty it takes to deal with some of the worst people in society and some of the people that need the most help in society end up in jail.

"I want to say thank you from the bottom of my heart for what you guys have done and your dedicating your life to the service of your fellow man and the public safety of your community and your County. A plaque and a proclamation is not near enough, but I will tell you this about being retired, it is fantastic, you get paid to wake up. I hope you win in retirement, which means you live well beyond the number of years of service, so you collect a retirement for many many years past your years of service for Tioga County. Once again thank you very much."

Sheriff Howard spoke. "I have some short words because I know neither one of them want to stand up here any longer. Standing before you is over 50 years of experience that the Sheriff's Office is losing. Of course Doug we have for another 18 days or so, Bill has been gone about that much I think or around that time and I just want to say thank you and the men and women in the Sheriff's Office that are here and back at the office just want to thank you for your service, not only to the Sheriff's Office, but to the County and to the citizens, and to your families. Thank you for taking your time and spending 25 years with us and sometimes that were not good, but I want to thank you. I also want to say thank you to the County for recognizing these individuals for their service with the Sheriff's Office and to the County."

Legislator Standinger read and presented the following recognition resolution to Kristine Madison.

Legislator Standinger spoke. "It seems like I am doing a lot of these resolutions for retirement out of that Health & Human Services building, so I wonder if there is something going on up there that I should be aware of."

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 89-17

*RECOGNITION OF
KRISTINE A. MADISON'S 20 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Kristine A. Madison was appointed to the position of Account Clerk Typist on January 6, 1997, and promoted to Senior Account Clerk Typist in March 1999, amended to Account Associate II on January 25, 2017 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Kristine A. Madison has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 20 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Madison retired on March 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Kristine A. Madison for her over 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Kristine A. Madison.

ROLL CALL VOTE

Unanimously Yes – Legislators Mullen, Sauerbrey, Roberts, Standing, Sullivan, Weston, Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standing spoke. "I just want to thank her for the many years that she served the Mental Hygiene Department. I know it is not an easy task."

Chris Korba, Director of Administrative Services for Mental Hygiene spoke. "Kris I just wanted to thank you for 20 years of service to Tioga County, our Community and all the clients that you served. You also served coworkers and of course your bosses. I really appreciate all you have done for me personally and for our Department, it is greatly appreciated. During her time here she wore many different hats and at any given notice I could have you do a variety of different tasks. You have done billing, going over insurance coverage with clients, worked the front desk, you did ordering. You were an extremely valuable employee and I just greatly appreciate that.

"Over the last 20 years you have seen many different changes, you worked in two different buildings, up at Washington Gladden and the HHS Building, and over the last five years you have worked at three different desks and that is not easy to do, so I really appreciate that. Your biggest change is yet to come and it is here, retirement. I hear that you are going to be doing a lot of bowling at the Moose Lodge and I heard that you have even scored 300. Oh I'm sorry those are golf scores. Also Kris I hear you have plans to travel this country in an RV and I just wish you the greatest trip ever and it greatly blesses you. Again, thank you Kris for everything."

Lori Morgan, Director of Community Services spoke. "Kris I really want to thank you. I know that it has not been easy always working with me because we have gone through a lot of changes and thank you for always keeping me on track and noticing some things that maybe I wouldn't notice. You were very good at that. I know that I will miss you, your peers miss you already, also are envious of you, but we wish you the very best in your retirement."

Legislator Standinger read and presented the following Proclamation on Alcohol Awareness Month to Susan Medina of the Tioga County Health Department.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: Tioga County Public Health identifies alcohol abuse as a threat to the health of the community; and

WHEREAS: Alcohol-related motor vehicle injuries and deaths in Tioga County are nearly double the New York State average; and

WHEREAS: The percentage of adults that binge drink is 24%, which is higher than all neighboring counties; and

WHEREAS: Binge drinking can be identified as the practice of consuming more than 5 drinks for men and 4 drinks for women in a single sitting; and

WHEREAS: Alcohol remains the number one substance responsible for admission to a treatment program; and

WHEREAS: Over 60 diseases are related to alcohol use including cancer, liver cirrhosis, cardiovascular disease and depression; and

WHEREAS: Alcohol abuse can be devastating to an individual's life, their family and can lead to child abuse and or neglect; and

WHEREAS: Children that grow up in a household where alcohol is abused are 4 times more likely to also abuse alcohol; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim April as

ALCOHOL AWARENESS MONTH

and encourages all residents to educate themselves, talk to their children and to seek help when coping with alcohol and other substance abuse situations.

Legislator Standinger spoke. "I recognize that alcohol is a legal substance in the United States and alcohol itself is not bad, but the abuse is what we need to worry about, so if you are going to consume alcohol do so responsibly."

Susan Medina of the Tioga County Health Department spoke. "Thank you and I appreciate you reading this and sorry to be such a downer after all the excitement. It is definitely a public health concern and we appreciate you proclaiming the month of April and awareness of it."

Legislator Mullen read and presented the following Proclamation on Two Rivers State Park to Becca Maffei of the Tourism Department. "I just want to acknowledge Becca's incredible effort in this project that we have undertaken in the State Park and I also want to thank the Legislators for when I first became a Legislator that we added it to the County's strategic plan, the development of the State Park, our County's State Park. It is one of the things I ran for election on, is the development of this State Park and I am going to say this publicly, it is without a doubt your guidance and leadership and enthusiasm you have brought to these projects that are in this Proclamation that we have come so far in such a short period of time. I made a point of letting your boss know that and I wanted to express it to you personally and publicly. For the record, we are incredibly blessed to have people working for us in Tioga County like you Becca."

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: Two Rivers State Park is an important outdoor recreation area that is rich in natural beauty and wildlife in Tioga County; and

WHEREAS: Two Rivers State Park has two reservoirs and miles of trails through wooded land and open fields and can be used for a variety of outdoor recreation, such as hiking, biking, boating and fishing; and

WHEREAS: Two Rivers State Park's reservoirs are historic assets as they were projects completed under the Works Progress Administration and supplied the Village of Waverly with water for many years; and

WHEREAS: Two Rivers State Park is used by Waverly Central Schools cross-country teams and community groups for education and development of local children; and

WHEREAS: Two Rivers State Park is adjacent to Waverly Glen Park; and

WHEREAS: Two Rivers State Park improves the quality of life for the citizens of Waverly; and

WHEREAS: Two Rivers State Park attracts new visitors to Tioga County; and

WHEREAS: There is a group of committed Tioga County and Waverly residents that are working to create a "Friends of the Park" group to create an active volunteer base; and

WHEREAS: May 6, 2017 is I Love My Park Day, a New York State Parks Department designated day which encourages the public to volunteer to work on projects in New York State Parks; and

WHEREAS: The Tioga County Legislature recognizes Two Rivers State Park as an important asset to Tioga County residents; therefore

THE TIOGA COUNTY LEGISLATURE hereby supports the creation of a "Friends of the Park" group and encourages citizens of Tioga County to volunteer for I Love My Park Day and to utilize Two Rivers State Park and Waverly Glen Park for outdoor recreation.

Becca Maffei of the Tourism Department spoke. "Thank you very much for all the kind words and I am very excited about this project and I am here representing a group of other people that feel the same way that I do. I just want to thank the County for recognizing and supporting the continuing projects that we will have at Two Rivers State Park. From a tourism standpoint it is extremely important to have really nice outdoor recreation areas, especially if you are in the Finger Lakes vacation region. I think this will be a good Economic Development project as well. Thank you."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of March 1, 16, and 23, 2017, seconded by Legislator Mullen, and carried.

Chair Sauerbrey appointed Legislator Ed Hollenbeck as 2nd Deputy Chair of the Tioga County Legislature effective April 12, 2017.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Chair Sauerbrey spoke. "Before we begin the resolutions in the formal process of this meeting I want to take note that this meeting is the first official meeting of our County Attorney who is presiding over the legality of the County Legislature, making sure we do things right. Officially welcome Peter."

County Attorney Dewind spoke. "Thank you. It has been a good transition getting everything up to speed."

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	LEGISLATIVE WORKSESSION
RESOLUTION NO. 90-17	CHANGE MAY 2017 LEGISLATIVE MEETING TIME

WHEREAS: The May 2017 Legislative meeting has been scheduled for Tuesday, May 9, 2017 at 12:00 p.m.; and

WHEREAS: The Legislature would like to change the meeting time; therefore be it

RESOLVED: That the May 9, 2017 Legislative meeting time be changed from 12:00 p.m. to 11:00 a.m.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 91-17 APPOINT REAP BOARD MEMBER

WHEREAS: The By-Laws of the REAP Board require that the Legislature nominate one person to act as its member on the REAP Board of Directors; and

WHEREAS: Bryant Myers, Executive Administrator for the IDA, term ends April 14, 2017; and

WHEREAS: Brittany Woodburn, Economic Development Specialist, is willing to serve on the REAP Board of Directors; therefore be it

RESOLVED: That Brittany Woodburn, Economic Development Specialist, be hereby appointed to the REAP Board for a two year term from April 15, 2017 through April 14, 2019.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 92-17 APPOINT MEMBER
BOARD OF ETHICS

WHEREAS: The term of John Hitchings on the Board of Ethics expired on March 31, 2017; and

WHEREAS: Barbara Crannell has expressed interest and willingness to serve on the Board of Ethics; therefore be it

RESOLVED: That Barbara Crannell, Chair nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2017 through March 31, 2020.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 93-17 *APPOINT MEMBER
BOARD OF ETHICS*

WHEREAS: The term of F. John Waite on the Board of Ethics expired on March 31, 2017; and

WHEREAS: Joan Case has expressed interest and willingness to serve on the Board of Ethics; therefore be it

RESOLVED: That Joan Case, Minority Party nomination, is hereby appointed to the Board of Ethics for a term of April 1, 2017 through March 31, 2020.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 94-17 APPOINT MEMBERS TO TRAFFIC SAFETY BOARD

RESOLVED: That the following members be reappointed to the Traffic Safety Board for a term as follows:

TITLE	TERM
James DeVita	3/31/17-4/1/20
Tioga County STOP DWI Coordinator or Designee	3/31/17-4/1/20
Tioga County Fire Coordinator or designee	3/31/17-4/1/20

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 95-17 RE-APPOINT MEMBER TO THE TIOGA COUNTY PLANNING BOARD

WHEREAS: The Village of Waverly’s position on the Tioga County Planning Board has been vacant since December 2016 upon William Dimmick III’s resignation; and

WHEREAS: William Dimmick, III’s living situation has changed and he will now remain living in the Village of Waverly; and

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 97-17 *INTER-MUNICIPAL AGREEMENT
HAZARDOUS WASTE*

WHEREAS: Tioga County has had a contract and inter-municipal agreement for the disposal of hazardous waste with Broome County over the last sixteen years; and

WHEREAS: Broome County has developed a proposal plus an inter-municipal agreement allowing Tioga County to utilize Broome County's Hazardous Waste Facility for the years 2017-2019; therefore be it

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair or their designee to renew the contract and inter-municipal agreement for the disposal of hazardous waste with Broome County for the years 2017-2019 upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 98-17 *AUTHORIZE THE SUBMISSION OF
PTS (POLICE TRAFFIC SERVICES)
GRANT APPLICATION
SHERIFF'S OFFICE*

WHEREAS: The NYS Governor's Traffic Safety Council has announced a FY'17 PTS (Police Traffic Services) grant; and

WHEREAS: Applications for this grant must be received no later than May 1, 2017; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant applications are submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 99-17 *ACCEPT AWARD OF ROADSIDE MARKER
GRANT AND APPROPRIATE FUNDS*

WHEREAS: The William G. Pomeroy Foundation strongly believes that historic markers play an important role in local historic preservation by serving a dual

purpose. They educate the public and foster historic tourism, which in turn can provide much needed economic benefits to the towns and villages where the markers are placed; and

WHEREAS: The program will commemorate historic people, places or things by awarding grants to install historic markers. This funding includes a standard marker, mounting pole and shipping. Grantees are responsible for the installation of the marker; and

WHEREAS: Tioga County has been awarded \$1,060.00 for the 2017-2018 Centennial Historic Roadside Marker Grant Program for the 100th anniversary of NYS Women's Suffrage; and

WHEREAS: The funds will be used to purchase and install a historic marker on 18 Front Street in Owego NY representing the residence of Elizabeth Browne Chatfield, suffragist and private secretary to Susan B. Anthony; and

WHEREAS: Appropriation of funds and budget modification requires legislative approval; therefore be it

RESOLVED: That funding be appropriated and the 2017 budget be modified as follows:

A7510 420890 Other Culture & Recreation Income	\$ 1,060.00
A7510 540640 Supplies (Not Office)	\$ 1,060.00

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 100-17 *AUTHORIZE CHAIR SIGNATURE ON HOST COMMUNITY AGREEMENT BETWEEN TIOGA COUNTY AND RENOVUS ENERGY, INC.*

WHEREAS: The Economic Development & Planning Department has been in discussion with representatives of Renovus Energy, Inc. with regard to a potential solar energy system and related infrastructure ("Project") to be built and operated in the Town of Candor, Tioga County, New York; and

WHEREAS: The Town of Candor has authorized the proposed Project; and

WHEREAS: The Economic Development and Planning Legislative Committee has reviewed and recommended the agreement between Tioga County and Renovus Energy, Inc., hereafter referred to as the Host Community Agreement to the full Legislature; and

WHEREAS: The Tioga County Legislature has also reviewed the proposed Host Community Agreement; and

WHEREAS: The Tioga County Legislature believes that the best interests of the residents of Tioga County will be served by the execution of the Host Community Agreement which specifies the parties rights, interests and obligations relative to the construction and operation of the solar energy system and related infrastructure; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Legislative Chair to sign the Host Community Agreement between Tioga County and Renovus Energy Inc. as recommended by the Economic Development and Planning Legislative Committee and upon approval by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The location and type of camera system to be deployed shall be determined by the Director of Information Technology. This may include systems and cameras which lack the capacity to record data. Placement of cameras shall only be considered for the security and safety of employees and visitors. Cameras shall never be placed in areas where privacy would normally be expected. Camera placement must take into consideration any confidential material that could be visible. No video surveillance system shall be intentionally deployed to monitor private property although the system may incidentally capture nearby premises and public activities if required to adequately monitor county areas.

Video surveillance systems will not record or monitor sound and shall not be monitored for the content of any visually captured conversations. Monitoring individuals based on characteristics of race, gender, ethnicity, sexual orientation, disability, or other protected classification is prohibited.

Information and images produced by video surveillance systems are intended to: assist in the identification and prevention of threats; to deter theft and other crimes; to assist in identifying, apprehending and prosecuting offenders; to assist in gathering evidence for criminal actions; to help emergency services personnel respond to emergency events; and to assist in resolving a citizen or employee complaint or County investigation.

The County will designate personnel with the capability to monitor live surveillance footage. The County will designate a limited number of personnel with permission to view recorded video. Access levels will be designated by the Tioga Legislative Chair in consultation with the Finance, Legal and Safety Committee, the Director of Information Technology, the Director of Personnel and the County Attorney.

Recorded material may be viewed for the purposes of system maintenance, to investigate onsite incidents, claims, regulatory or policy violations and to locate material related to a legitimate criminal or other investigation. Recorded video shall not be released except as provided herein or as required by law.

Information and images produced by surveillance systems may be monitored or copied by law enforcement personnel when authorized by the Tioga Sheriff or District Attorney, by the Chair of the County Legislature, and by any other persons if authorized by a court of competent jurisdiction. The Information Technology Department may monitor, review, or copy only such video as may be necessary for system maintenance. A log of who accessed, when and for what purposes will be maintained by the Information Technology Department.

Surveillance footage shall not be utilized to conduct personnel investigations including those related to work place attendance or work quality. However, the

County may utilize routine security camera recordings in support of disciplinary proceedings or in a civil suit or other proceeding involving person(s) whose activities are shown on the recording and relate to the proceeding.

Digital data will be stored on servers accorded appropriate computer security with access by authorized personnel. Recorded analog or digital data shall be stored and maintained for at least 90 days after the date of recording, unless the Tioga Sheriff, District Attorney, Chair of the County Legislature or County Attorney determines that specified video may be material and relevant to law enforcement or administrative investigation, or to potential claims and litigation. In these cases, the imagery shall be destroyed or erased as soon as practicable, but no less than three years following the date of recording.

The Information Technology department shall be responsible for the operation and maintenance of the video surveillance systems covered by this policy, and for the implementation of this policy.

Surveillance system feeds are a tool which may be monitored to support investigations and enhance safety. The existence of such systems and of this policy, are not a guarantee of safety and does not imply that security cameras will be monitored in real time.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell introduced Local Law Introductory No. A of 2017.

County of Tioga

Local Law No. of the Year 2017.

A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

Be It Enacted by the Legislature of the County of Tioga as follows:

the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021 in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, May 4, 2017 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

LEGAL COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 103-17

*RATIFY COLLECTIVE BARGAINING
AGREEMENT WITH TIOGA COUNTY
CORRECTIONS ASSOCIATION AND
NATIONAL CORRECTIONAL EMPLOYEES
UNION*

WHEREAS: The current collective bargaining agreement between Tioga County and the Tioga County Corrections Association expired December 31, 2016; and

WHEREAS: Negotiation of a successor agreement began in August 2016; and

WHEREAS: The parties have reached a Tentative Agreement of the years 2017-2019; and

WHEREAS: The membership ratified the agreement on March 20, 2017; therefore be it

RESOLVED: That the Tioga County Legislature hereby ratifies the tentative contract for the years 2017-2019 retroactive to January 1, 2017; and be it further

RESOLVED: That the Chair of the Legislature is hereby authorized to sign the Agreement along with the Sheriff, as joint employers; and be it further

RESOLVED: That the Tioga County Legislature does hereby agree to implement the funds necessary to carry out the terms and provisions of said contract.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
 PERSONNEL COMMITTEE

RESOLUTION NO. 104-17 *AUTHORIZE APPOINTMENT OF DEPUTY DIRECTOR
 OF PUBLIC HEALTH
 PUBLIC HEALTH DEPARTMENT*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The Deputy Director of Public Health position became vacant on December 31, 2016 and recruitment efforts have been made to backfill said vacancy; and

WHEREAS: The Director of Public Health has identified a qualified candidate who is willing and able to accept appointment; therefore be it

RESOLVED: That Susan Medina is appointed to the title of Deputy Director of Public Health at an annual, non-union salary of \$64,500 effective April 15, 2017; and be it further

RESOLVED: That Ms. Medina's appointment shall be provisional pending successful completion of civil service examination requirements and appointment from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston Hollenbeck, Huttleston and Monell.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:40 P.M.

Public Hearing
Local Law Introductory No. A of 2017
May 4, 2017

The Public Hearing on Local Law Introductory No. A of 2017 A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021 was called to order by the Chair at 1:02 P.M. Six Legislative members were present, Legislators Monell, Mullen and Sullivan being absent.

There were two people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no comments, the hearing was adjourned at 1:04 P.M.

Fifth Regular Meeting
May 9, 2017

The Fifth Regular Meeting of 2017 was held on May 9, 2017 and was called to order by the Chair at 11:07 A.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "Oh God, grant us the serenity to accept the things we cannot change, courage to change the things we can, and wisdom to know the difference."

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

There were 29 people in attendance.

William Ostrander of the Employee Recognition Committee presented the Employee of the 1st Quarter 2017 to Roy Schreiner of the Sheriff's Office. "I want to thank the Legislature for supporting our Employee Recognition Program. Our employees get a lot of satisfaction out of it and the Committee gets a lot of satisfaction out of meeting some of these employees and learning about them. Our Employee of the Quarter this quarter is Roy Schreiner.

"I want everybody to watch you while I assault your humility. Roy started working for the County as a part-time Corrections Officer and became full time about 20 years ago. As a Corrections Officer he has served as a Court Officer, Jail Training Officer, CPR and First Aid Instructor, Jail First Safety Inspection Officer. Currently he serves as the ATI Coordinator. ATI is Alternatives to Incarceration. The alternative is community service in the weekend work program. Do community service and you can stay out of jail.

"Roy does a great deal of community service himself, serving for many years as a volunteer fireman and in Emergency Medical Services. Ironically he still has to go to jail every day. The Sheriff's Office has always received letters from organizations for almost every assignment that Roy has had, extolling Roy's exemplary job performance and positive attitude. As a Corrections Officer his demeanor and ability to communicate with others can diffuse most volatile situations, making him a valuable asset to the Sheriff's Office, to his Supervisors and to his coworkers.

"Roy enjoys auto racing, hunting, four-wheeling and spending time with his family. That intelligence is about 10 years old so I am not sure that is all true, but we were in his office and there were a lot of family pictures, so I am pretty sure the last part is. His nominator noted that he always acts in a professional

manner, is always kind and considerate, and always goes the extra mile to help wherever he can. We congratulate you Roy."

Legislator Mullen spoke. "I have known Roy for a long time and I really got to know Roy as Chair of Public Safety going to the quarterly Probation meetings and where ATI he reports directly. I can say in almost every one of our Public Safety meetings the Sheriff brings up Roy and the great job that he does. Everyone says oh well what do they do? They pick up the trash alongside the highway. We have all seen that. Then we get into the list of the things that they do do and Roy always has a full crew and guys want to come to work for Roy. Now these guys are sentenced for crimes they have committed and they are fighting with each other to go work for Roy. He is doing something right.

"He takes a personal interest in the people on the work groups that work for the ATI Program. It is not just the garbage. They clean and wash fire trucks, they clean the fire department kitchens, they shovel the snow at county office buildings, they rake the leaves, they pick up and clean up after Strawberry Festival and the County Fair. They clean the county barns, they paint the county barns. These guys are working hard and Roy gives them and instills in them a work ethic that a lot of these guys and gals do not have when they come into the program. I can tell you we are always pinching every nickel and the amount of money that is saved in keeping these people out of jail and putting them in ATI is monumental to the County. It is hundreds of thousands of dollars a year and the County owes you a great debt of gratitude for that. Not only are you saving money, but you have changed hundreds of lives and we have had many testimonies from guys that work through the ATI Program where they have noted that Roy was the motivating factor for them to get the help they need, to stay in rehab, to get a good job, and mainly teach that work ethic, get up and go to work and meet your responsibilities, which is a problem and Roy does a great job motivating these guys. I just want to say thank you publicly, I appreciate it."

Sheriff Howard spoke. "I actually cannot say too much, Legislator Mullen covered a lot of it. If you ever travel down 17 or 17C and see the clear garbage bags along the roadway, and then you hit the Broome County line and you think what is the difference here. That is Roy. You look at the Sheriff's cars, they are nice and clean and waxed, that is Roy. The Fire stations are clean, fire trucks clean, that is Roy. I can go on and on about all the stuff that Roy does for the County, but one of the things, in cooperation with the State and the Commission of Corrections and Probation, and the Sheriff's Office, the money that Legislator Mullen spoke about, without the Alternatives to Incarceration the Jail would have to go to what is called a "16 classification" and therefore our jail would be full, and that is because of Roy and the ATI Program in cooperation between departments and the State, we were able to have the ATI Program,

which is huge. It is a huge savings to the County, not just to the Sheriff's Office, but for the County as a whole. I cannot say enough. Roy stops by and sees me almost every day when he can and ATI is just a small part of what Roy does. There is a whole list that Bill spoke of, things that he does for us, and he is an outstanding employee and I cannot think of anybody better to get Employee of the Quarter than Roy."

William Ostrander of the Employee Recognition Committee talked about Employee Recognition and Appreciation Week. "The following Proclamation relates to our Employee Recognition Week coming up next week, so I just wanted to mention that and that will culminate with a luncheon on Tuesday, May 23 at noon at Donoli's and everyone is invited. That will be particularly to recognize folks who have completed 25, 30 and 35 years of service."

Legislator Mullen read the following Proclamation on Employee Recognition and Appreciation Week and presented to the employees with 25 plus years of service.

PROCLAMATION

WHEREAS: The mission and services of Tioga County depend heavily on the tireless contributions of its dedicated employees; and

WHEREAS: The Tioga County Legislature wishes to recognize the efforts of all Tioga County employees; and

WHEREAS: The Employee Recognition Committee was created to provide a mechanism to show our appreciation for the Employees of Tioga County; and

WHEREAS: Those employees who have served for more than 25 years have shown a steadfast commitment to serving the well-being of the residents of Tioga County, and should be recognized by those whom they have served; and

WHEREAS: The Tioga County Legislature would like to especially recognize the following employees who have attained 25, 30, 35 years since last year's ceremonies:

Name	Department	Years
Michael Jackson	Sheriff's Office	35
Mary Roddy McKee	Social Services	30
Maureen Dougherty	Legislature	30
Carlton D. Snapp	Public Works	30

Paul C. Rhodes	Sheriff's Office	25
Richard Huttleston	Legislature	25 (PT)

NOW THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the week of May 15-19, 2017 as

EMPLOYEE RECOGNITION AND APPRECIATION WEEK

In the County of Tioga, New York, and call upon our citizens to join in recognizing these dedicated employees.

Chair Sauerbrey noted the following Proclamation on Foster Care Recognition Month.

FOSTER CARE RECOGNITION MONTH PROCLAMATION

WHEREAS: The Tioga County foster family serves as a source of safety, love, self-esteem and support for children in Tioga County; and

WHEREAS: There are 34 children in foster care in Tioga County, 25 of these children are in foster homes; and

WHEREAS: We have 22 certified foster homes in Tioga County; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children in foster care, and the enduring and valuable contribution of foster parents; and

WHEREAS: It is appropriate to recognize all those who volunteer their talents and energies on behalf of children in foster care, the foster parents who serve these children and the professional staff dedicated to ensuring these children have a stable and safe foster family environment; now therefore

THE TIOGA COUNTY LEGISLATURE hereby Proclaims May 2017, as

FOSTER CARE RECOGNITION MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize foster parents in Tioga County.

Legislator Standinger read and presented the following Proclamation on American Stroke Month in Tioga County to Amy Fancher, Public Health Educator of the Public Health Department. "Every year since we have had this I have read it because I experienced a stroke myself and I can answer any questions if anybody has them. It is not a fun experience."

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Stroke is a leading cause of serious long-term disability and the fifth leading cause of death in the United States, killing over 130,000 people nationwide and more than 20 citizens of Tioga County each year; and

WHEREAS: Stroke prevalence is projected to increase by 20.5% between 2012 and 2030 and the direct medical costs in the U.S. for treating stroke are expected to increase by 158% from \$71 billion in 2012 to \$183 billion by 2030; and

WHEREAS: Warning signs of stroke include sudden numbness or weakness of the face, arm or leg, especially on one side of the body; sudden confusion, trouble speaking or understanding; sudden trouble seeing in one or both eyes; sudden trouble walking, dizziness, loss of balance or coordination; and sudden severe headache with no known cause; and

WHEREAS: Americans are more aware of the risk factors and warning signs for stroke than in the past, but according to a recent survey, one-third of adults cannot identify any symptoms; and

WHEREAS: Studies show that the quick actions by EMS professionals are instrumental in saving lives from stroke and producing better outcomes for stroke survivors, but more than a third of stroke patients fail to use EMS; and

WHEREAS: New and effective treatments have been developed to treat and minimize the severity and damaging effect of strokes, but much more research is needed, therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of May 2017 as:

AMERICAN STROKE MONTH IN TIOGA COUNTY

and urges all the citizens of our County to familiarize themselves with the risk factors associated with stroke, recognize the warning signs and symptoms, and on the first signs of a stroke dial 9-1-1 immediately so that we might begin to reduce the devastating effects of stroke on our population.

Legislator Standinger spoke. "Now with this being said, I can tell you that when I had my stroke it was after a truck had hit my car on the thruway in Albany and I had no idea I was having a problem. I was fortunate enough that I had the ability to make a call to one of my coworkers who came and responded and got me medical care, which is probably why I am still here today. It is not something that you really know is happening until it happens.

That being said, we have the Health Department Educator here to accept this Proclamation.”

Amy Fancher, Public Health Educator of the Public Health Department spoke. “I just want to thank the Legislators for recognizing our Stroke Month. It is obviously very important. Thank you.”

Chair Sauerbrey noted the following Proclamation on Child Hunger Awareness Week.

**COUNTY OF TIOGA
EXECUTIVE PROCLAMATION**

WHEREAS: Tioga County Public Health reports that 20 percent of the children in Tioga County are considered food insecure (not enough food, not enough healthy food); and

WHEREAS: 18 percent of the children in Tioga County are living below the poverty line; and

WHEREAS: Half of all Tioga County children are eligible for free or reduced-price lunch; of those eligible, 75 percent are participating; and

WHEREAS: On average, 508 children a day receive free meals during the summer through the Tioga County Summer Food Service Program; and

WHEREAS: The number of children receiving free meals during the summer has increased by 23 percent since 2015; and

WHEREAS: Nearly half of all people who use the Supplemental Nutrition Assistance Program (SNAP) are children; and

WHEREAS: Hunger is a community problem and finding solutions depends on the involvement of all people throughout Tioga County; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim June 5-9, 2017 as

CHILD HUNGER AWARENESS WEEK

and encourages all residents to become more aware of the prevalence and negative effects of child hunger in our neighborhoods, and to

participate in the Tioga County Hunger Task force to end childhood food insecurity.

Chair Sauerbrey noted the following Proclamation on Elder Abuse Prevention Month.

PROCLAMATION

WHEREAS: People who are elderly or have disabilities have contributed to the general welfare of Tioga County by helping to preserve customs, convictions, and traditions of many people from diverse backgrounds; and

WHEREAS: These residents are vital and integral members of our society and their wisdom and experience have enriched our lives; and

WHEREAS: The health and well-being of disabled and elderly people in our county should be one of our highest priorities and of concern to all Americans; and

WHEREAS: People who are elderly or have disabilities are among the most important resources of our county, and it is fitting that we recognize the need to protect their health, safety, and rights; and

WHEREAS: Abuse of the elderly and people with disabilities in domestic and institutional settings is a wide-spread problem, affecting hundreds of thousands of people across the country; and

WHEREAS: Elder abuse is underreported because the elderly who are being abused find it very difficult to tell anyone and are usually ashamed and sometimes afraid; and

WHEREAS: Elder abuse happens to men and women of all income levels, all cultural and ethnic groups, whether they are in good health or incapacitated in some way, in poor neighborhoods and in suburbia; and

WHEREAS: Many of the cases investigated by Adult Protective Services in New York involve self-neglect or financial exploitation and it is our duty as citizens to reach out to people in need; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim the month of May 2017 to be

Elder Abuse Prevention Month

in Tioga County, and urge all citizens to work together to help reduce abuse and neglect of people who are elderly or have disabilities.

Chair Sauerbrey noted the following Proclamation on Mental Health Awareness Month & Children's Mental Health Awareness Week.

2017 PROCLAMATION

Mental Health Awareness Month & Children's Mental Health Awareness Week

WHEREAS: The citizens of Tioga County value the overall health and well-being of all the residents of Tioga County they are proud to support the observance of Mental Health Awareness Month and Children's Mental Health Week; and

WHEREAS: Mental Health is essential to everyone's overall health and well-being; and

WHEREAS: Mental illness is the leading illness-related cause of disability, a major cause of death through suicide, a factor in school failure, a contributor of poor overall health, incarceration, and homelessness; and

WHEREAS: Mental illness in adults and serious emotional and mental health disorders in children and youth are real and treatable; and

WHEREAS: There is evidence that early intervention, family-centered care for children, and person centered treatment for adults can result in reduction and management of symptoms such that individuals with mental illness can live full, productive and meaningful lives in their communities; and

WHEREAS: Children and youth with mental health challenges, along with their families, deserve access to services and supports that are family driven, youth guided and culturally appropriate; and

WHEREAS: There is an expectation of hope, healing and recovery for the citizens of Tioga County who experience symptoms of mental illness; and

WHEREAS: Tioga County has made a commitment to a community-based system of care that promotes values of acceptance, dignity and social inclusion for individuals of all ages; therefore

THE TIOGA COUNTY LEGISLATURE does hereby ask all residents of our county to join in declaring May 2017 as *Mental Health Awareness Month* and May 1st – 7th, 2017 as *Children's Mental Health Week* in Tioga County.

Chair Sauerbrey noted that we have two recognition resolutions this month.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRING TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 106-17

*RESOLUTION RECOGNIZING
ELIZABETH HARRIS'
20 YEARS OF DEDICATED SERVICE TO
TIOGA COUNTY*

WHEREAS: Elizabeth Harris was appointed as an E911 Dispatcher on 2/3/97; and

WHEREAS: Elizabeth Harris has been dedicated in the performance of her duties and responsibilities during the past 20 years to Tioga County, thereby earning the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Elizabeth Harris retired from the Tioga County Sheriff's Office on April 21, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Elizabeth Harris for her 20 years of dedicated service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Elizabeth Harris.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger read and presented the following recognition resolution to Carol Gehen.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 107-17 RECOGNITION OF
CAROL GEHEN'S 22 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
PUBLIC HEALTH DEPARTMENT

WHEREAS: Carol Gehen, was appointed to the position of Part-time Registered Professional Nurse on June 1, 1994, in the Tioga County Public Health Department; the position she still holds; and

WHEREAS: During her years of service Carol has focused on Maternal Child Health and the Lead Poisoning Prevention Program; and

WHEREAS: Carol was honored as the Public Health Team Member of the 3rd Quarter in 2014 by her peers in the Health Department; and

WHEREAS: Carol Gehen has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 22 years to the Public Health Department. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Gehen retired on April 19, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Carol Gehen for her over 22 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Carol Gehen.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "I will say that I really appreciate the work of the nurses in the County and nurses overall in general. It is a difficult profession and one that requires a lot of caring and going over and above the line. Thank you Carol."

Heather Morgan, Community Health Program Supervisor of the Public Health Department spoke. "I have been Carol's Supervisor for the last four months prior to her retirement, but I did have the pleasure of working with her for the last five years as well. As the resolution stated, she primarily worked in Children's Programs and in the last four months that was primarily in Early Intervention and Preschool, which are two of the programs that I oversaw. I would say that among her best qualities are her ability to adapt to change and learn new things, and those two programs that I stated, you need to learn things very quickly and there is a lot of accuracy involved and she adapted to those changes very quickly from the Nursing Program.

"A few things that I think are really important to mention about Carol are, she has kept the Childhood Lead Poisoning Program in our County going strong for years, being that she was the primary nurse that went into people's homes. When a child was diagnosed with lead poisoning she was the one that went into the child's home and educated that family about the child's lead poisoning and what it meant and how to bring the child's lead down, and I was fortunate enough prior to being her Supervisor to go with her on a couple of lead visits. I was able to learn a lot from her with that. She has also worked closely with doctor's offices in our County to increase immunization rates and that includes conducting internal audits of their records and also educating them on what they can do to bring up immunization rates. Our County has some of the lowest immunization rates in all of the State, so as you can imagine this is pretty important.

"She has also assisted increasing the rate of young teens in our community to get their HPV immunization, that is Human Papilloma virus vaccination, which is a cancer preventing vaccine. This is another really important one and as you can imagine with the controversy around that vaccine, Carol did a phenomenal job of getting letters out to families and talking to parents about that vaccine. She has actually published her own children's book about lead poisoning prevention and went to some of our local libraries and read to young children. She even included some of her own grandchildren in the book and I am sure if any of you are interested in seeing that she would love the opportunity to share that with you.

"More recently in Early Intervention she has helped process over 200 patient charts and helped us develop a systematic filing system on how we can

be more efficient in our Children's Program. On a more personal note, Carol has always said okay to anything that we have always asked of her and has had a smile on her face. I am going to share this, I did not have it down on my paper, but I shared it in a staff lunch that we had for her. I am not the best driver, but I think I am a very good driver, but Carol has experienced my driving and she went on a three hour trip with me to Albany and then around downtown Binghamton, and she survived it. I think that is pretty notable. She has also told us that she is already enjoying retirement. She has several grandchildren in Syracuse and Utah, and she loves spending time with them. Carol we really appreciate your contributions to the Health Department and the community as a whole, and more than anything you have been a true asset to our community and we thank you for your service."

Carol Gehen spoke. "As I thought about what to say today, I just feel like my heart is full of gratitude for my opportunity to work in the Public Health Department. I started in the Certified Home Health Agency in 1994 and worked there for six years, and I learned a lot of things there, things that have helped me in my own personal life, and then I moved to Primary and Prevention and had the opportunity as Heather said to work with families that are dealing with children that have lead poisoning. Thankfully we do not have a very high incident of that at the present time. Also, I gained a great knowledge of immunizations and a real knowledge of the importance of a strong immunization program in our county and in our country to keep our population healthy.

"I finally ended up working for Early Intervention and Preschool for a few months and I learned so much there about the struggles of the families with children with disabilities have and also about the compassion of people that care for them, our own staff, the therapists that work with them, the doctors that work with them, and also the school districts, the wonderful special education teachers, the kindergarten teachers, the preschool teachers, the heads of the special education departments, the compassion and the dedication they have to these children and these families. Last of all I would just like to thank the Health Department for being a friend, being my friend, for standing with me during difficult times in my life and for standing with me also during joyful times because that is what friends do. I will miss you all and I do miss you, and I think about my desk on the second floor there, but I wish you all the best and success in all that you do. Thank you again."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of April 11, 2017, seconded by Legislator Mullen, and carried.

	<u>Original Bill #1413</u>	<u>Corrected Bill #1413</u>
County	895.32	821.20
Recycle	41.36	37.93
Town Wide	403.77	370.35
Part Town	12.67	11.62
Newark Valley Fire	<u>162.97</u>	<u>149.48</u>
	\$1,516.09	\$1,390.58

And be it further

RESOLVED: That the erroneous town tax of \$34.48 be charged back to the Town of Newark Valley; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 3.42 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$ 74.12 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$ 13.49 be charged back to the Newark Valley Fire.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO. 110-17 *MORTGAGE TAX DISTRIBUTION*

RESOLVED: That the mortgage tax report for the period October 1, 2016 to March 31, 2017 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 16,707.51
Berkshire (Town)	3,941.50
Candor (Town)	20,177.75
Candor (Village)	2,624.71
Newark Valley (Town)	8,318.08
Newark Valley (Village)	3,916.33
Nichols (Town)	7,767.93
Nichols (Village)	2,451.25
Owego (Town)	92,901.87
Owego (Village)	8,175.34
Richford (Town)	6,503.81
Spencer (Town)	13,501.75
Spencer (Village)	4,107.55
Tioga (Town)	17,713.62
Waverly (Village)	<u>23,077.44</u>
	\$231,886.44

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 111-17- AMEND TIOGA EMPLOYMENT
CENTER BUDGET

WHEREAS: The Tioga Employment Center, as part of the Broome-Tioga Workforce New York for employment and training services, is fully funded under the federal Workforce Innovation and Opportunities Act; and

WHEREAS: Broome County is underspent in Youth funds for Program Year 2015; and

WHEREAS: These Youth funds must be expended by June 30, 2017; and

WHEREAS: Tioga Employment Center can assist in expending these Youth funds to avoid recapture; and

WHEREAS: Broome County has issued Contract Modification #1 in the amount of \$40,000 in Youth funds to Tioga Employment Center; therefore be it

RESOLVED: That the Tioga Employment Center allocates the funds as follows:

From: CD6293 447910-	Federal Aid-Federal Employment Program	\$40,000.00
To:	CD6293 520090 Computer	\$25,056.00
	CD6293 540487 Program Expense	\$ 1,793.00
	CD6293 530551 MLR	\$ 2,466.52
	CD6293 540190 Education Reimbursements	\$10,684.48

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 112-17 APPROPRIATION OF FUNDS
PUBLIC HEALTH

WHEREAS: New York State Child Passenger Safety Program funding has been awarded to the Tioga County Public Health Department; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4053 434011 State Aid	\$ 5,500
To: A4053 540640 Supplies	\$ 5,500

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 113-17 *AUTHORIZATION TO APPLY FOR GRANT
PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) has been invited to submit a grant application to the Appalachian Regional Commission; and

WHEREAS: TCPH has developed a plan to transform the provision of Dental services to the uninsured and under-served Tioga County citizens; and

WHEREAS: Current Dental Program, Tioga Mobile Dental Services is instrumental in addressing the unmet oral health needs of children and adults in Tioga County; and

WHEREAS: The amount of the grant funding is not yet determined; and

WHEREAS: If awarded the grant, TCPH will submit a resolution to appropriate the funds at that time; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that require the signature of the Chief Elected Official; and

WHEREAS: The Tioga County Legislature supports TCPH in pursuing funding to provide needed services to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to the Appalachian Regional Commission.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 114-17 *PURCHASE OF CARGO VAN AND
TRANSFER OF FUNDS/BUDGET
MODIFICATION
BUREAU OF FIRE*

WHEREAS: The Bureau of Fire has a 1989 Ford F350 custom vehicle that is used for the Hazardous Materials Team that has been deemed unsafe and will not pass inspection due to a rusted frame; and

WHEREAS: This vehicle is an essential part of the service provided to the residents of Tioga County; and

WHEREAS: This was an unanticipated expense and the Bureau of Fire did not budget for said expense for 2017, which will require a transfer of funds and a budget modification; and

WHEREAS: The Bureau of Fire would like to purchase a $\frac{3}{4}$ ton cargo van with accessories to better accommodate the Hazardous Materials Team, which would total approximately \$30,000; and

WHEREAS: The Fire Coordinator has secured three quotes for said cargo van and found Feduke Ford of Vestal, New York to be the best price; and

WHEREAS: This purchase requires a transfer of funds within the Bureau of Fire's budget for this capital expense and the Fire budget has had historical surplus funds for prior years 2013-2016 and 2017 budget is projected to have surplus of approximately \$25,000; and

WHEREAS: There may be a need to cover any deficit operating costs for the Bureau of Fire due to this unanticipated expenditure from Contingency before 2017 year end; therefore be it

RESOLVED: That the Tioga County Fire Coordinator be authorized to purchase said ¾ ton cargo van with accessories in an amount not to exceed \$30,000 from Feduke Ford of Vestal, New York; and be it further

RESOLVED: That funding for said ¾ ton cargo van be transferred as follows:

From: A3410 510010	Fire Salary Full Time	\$ 4,500.00
A3410 510020	Fire Salary Part Time	2,000.00
A3410 520020	Fire Audio Visual Equipment	1,000.00
A3410 520030	Fire Batteries (Portable)	1,000.00
A3410 520130	Fire Equipment (Not Car)	500.00
A3410 520215	Fire Personal Protective Equip	2,000.00
A3410 540070	Fire Car Maintenance	1,500.00
A3410 540140	Fire Contracting Services	1,000.00
A3410 540144	Fire Ems Instructors	3,000.00
A3410 540180	Fire Dues	500.00
A3410 540220	Fire Automobile Fuel	2,500.00
A3410 540350	Fire Office Equip Maintenance	1,500.00
A3410 540370	Fire Medical Expense	1,500.00
A3410 540390	Fire Mileage Expense	1,000.00
A3410 540560	Fire Repairs	2,000.00
A3410 540620	Fire Software Expense	1,700.00
A3410 540660	Fire Telephone	1,300.00
A3410 540733	Fire Training/All Other	1,500.00
To: A9950 593715	Inter Fund Transfer to Capital	\$30,000.00
From: H1340 450310	Inter Fund Transfer from A Fund	\$30,000.00
To: H3410 520060	Fire Car/Truck	\$30,000.00

Legislator Mullen made a motion to amend the above resolution, seconded by Legislator Hollenbeck and to read as follows:

The first and fourth whereas to be changed as follows:

“WHEREAS: The Bureau of Fire has a 1988 Ford F350 custom vehicle that is used for the Fire Investigation Team that has been deemed to be in need of replacement; and

“WHEREAS: The Bureau of Fire would like to purchase a ¾ ton cargo van with accessories to better accommodate the Fire Investigation Team, which would total approximately \$30,000; and”

ROLL CALL VOTE ON AMENDED RESOLUTION

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

AMENDED RESOLUTION APPROVED.

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 115-17 *AMEND BUDGET*
PUBLIC WORKS

WHEREAS: Tioga County is the recipient of funding through New York State Department of Transportation consisting of Federal and non-Federal funds for a project, West River Drive over Walker Creek PIN 9754.52; and

To: H5110 540001 H1703	Paving – West River Drive	\$270,880.57
H5110 435020	State Aid-County Road & Bridge	\$270,880.57

And be it further

RESOLVED: To amend 2017 Budget and appropriate additional funds from Capital Fund:

To: H5110 540001 H1703	Paving – West River Drive	\$304,119.43
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To: H5110 435010	CHIPS Paving – West River Drive	\$304,119.43
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ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 117-17 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE - AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: Tioga County will Design, let and construct the “project”; and

WHEREAS: A project for the culvert replacement on West River Drive over Walker Creek, Town of Nichols, Tioga County, PIN 9754.52 (the Project) is eligible for funding under Title 23 U.S. Code, as amended that calls for the apportionment of the costs of such program to be borne at the ratio of 0% Federal Funds and 100% non-Federal Funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Construction and Construction Supervision and Inspection work; now therefore

The Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorized the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Construction and Construction Supervision and Inspection work for the Project or portions thereof; and it is further

RESOLVED: That the Tioga County Legislature hereby agrees that the County of Tioga shall be responsible for all costs of the project which exceed the amount of the NY Bridge Funding Awarded to the County of Tioga; and be it further

RESOLVED: That the sum of \$225,000 is hereby appropriated from the West River Drive Culvert account H5110 540001 H1709 and made available to cover the costs of participation in the above phases of the Project; and it is further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof, and it is further

RESOLVED: That the County of Tioga hereby agrees that construction of the Project shall begin no later than eighteen (18) months after award and that the project shall be completed within THREE years of commencing construction; and it is further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

HHS COMMITTEE

RESOLUTION NO. 118-17

*REAUTHORIZE CONTRACT
SUPERIOR GROUP
TIOGA EMPLOYMENT CENTER*

WHEREAS: Broome & Tioga Counties, in partnership through the Broome/Tioga Workforce Development Board, provides for the delivery of employment and training services under the Workforce Innovation Opportunity Act 2015; and

WHEREAS: The Tioga Employment Center continues to have a need for a Resource Room Clerk to assist individuals in the Employment Center's Resource Room with operation of computers and various computer programs, to instruct clients on how to use NYS Dept of Labor job site, and to assist clients in accessing employment opportunities; and to assist Workforce staff and businesses in maintaining current job listings; and

WHEREAS: Superior Group is able to provide such services for the Tioga Employment Center, from July 1, 2017 to June 30, 2018, and said contract is to be funded entirely by the Workforce Innovation Opportunity Act; and

WHEREAS: The funds necessary for said contract were included in the WIOA PY 2017 Budget under the WIOA Grant; and

WHEREAS: The Supervisor of the Tioga Employment Center is authorized to enter into such contract as indicated; and

WHEREAS: Said contract would provide for compensation at the bill rate of \$12.42 per hour from 7/1/16-12/30/17, and \$13.31 per hour from 12/31/17-6/30/18 at a maximum of 25 hours per week; therefore be it

RESOLVED: That the Tioga County Legislature authorize the Supervisor of Tioga Employment Center to enter into a contract, upon approval by the County Attorney, with Superior Group at the above bill rate(s) effective July 1, 2017 through June 30, 2018.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 119-17

AMEND COUNTY POLICY 1: NEW POSITIONS, UPGRADINGS, DOWNGRADINGS; TEMPORARY RE-ASSIGNMENT; TEMPORARY HIRE; TEMPORARY APPOINTMENT; LEAVE TIME; LEAVES OF ABSENCE; ADDITIONAL LEAVE CRITERIA; FILLING VACANCIES; RECLASSIFICATIONS

WHEREAS: County Policy 1, Section V.B requires Department Heads to notify the Legislative Chair and their standing committee of a leave of one week or more; and

WHEREAS: The Legislature would like to clarify and expand upon said requirement; therefore be it

RESOLVED: That County Policy 1, Section V.B shall be amended to read as follows:

The Department Head notifies the standing committee Chair and Chair of the Legislature in writing at least ten (10) working

days in advance if will be absent for five (5) work days or more. Department Head shall also notify the same when a work conference or another work activity takes them away from the office for three (3) consecutive days or more. The Legislative Chair and Committee Chair shall be notified by the Department Head of who is in charge of the department in the absence of the Department Head. The Department Head and second in command (as designated by the Department Head) shall not be away from the office at the same time for more than three (3) work days without advance authorization from the Chair of the Legislature and Committee Chair; it is the Department Head's responsibility to submit such request in writing; and be it further

RESOLVED: That the remainder of Policy 1 is unchanged.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 120-17 AMEND COUNTY POLICY 20: NON-UNION VACATION

WHEREAS: County Policy 20, Section II: Utilization requires that Department Heads advise the Legislative Office ten (10) days in advance of using five (5) or more days of vacation, plus other requirements; and

WHEREAS: The Legislature would like to clarify and expand upon said requirements; therefore be it

RESOLVED: That County Policy 20, Section II: Utilization shall be amended to read as follows:

1. Department Heads shall notify the Chair of the Legislature and Standing Committee Chair a minimum of ten (10) days in advance of their intent to use vacation time, per County Policy 1, Section V.B; this notification shall be in writing, for which email is acceptable.

The Department Head and second in command (as designated by the Department Head) shall not be on vacation at the same time for more than three (3) work days without advance authorization from the Chair of the Legislature and Standing Committee Chair. It is the Department Head's responsibility to submit such request in writing.

Any vacation leaves in excess of ten (10) work days require prior approval of the Legislative Chair.

2. All Other Non-Union Employees must file a written request for vacation a minimum of ten (10) working days in advance of the requested leave with the Department Head for all leaves over five (5) days in length. Leave of less than five (5) days duration may be granted within 24 hours' notice. Exceptions to this may be granted by the Department Head, however all requests for vacation leave must be approved by the Department Head.

RESOLVED: That the remainder of Policy 20 is unchanged.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGAL/FINANCE

RESOLUTION NO. 121-17 ADOPT POLICY 60
ACTIVE SHOOTER/LOCKDOWN

WHEREAS: Incidents of active shootings in schools, businesses and public areas have become increasingly more common and have resulted in the death and injury of innocent people; and

WHEREAS: Tioga County is committed to bringing awareness to employees of this potential hazard and provide guidelines for dealing with these situations with the ultimate goal of protecting life and mitigating injuries; now therefore be it

RESOLVED: That Policy 60 Active Shooter/Lockdown is hereby adopted by the Tioga County Legislature.

POLICY 60

Active Shooter/Lockdown Policy

I PURPOSE/SCOPE

- A. Incidents of active shootings in schools, businesses and public areas have become increasingly more common and have resulted in the death and injury of innocent people. It is the purpose of this policy to bring awareness to personnel of this potential and provide guidelines for dealing with these situations with the ultimate goal of protecting life and mitigating injuries. These guidelines are for employees to follow in the event of an active shooter situation and/or a subsequent initiation of a "Lockdown", and should not replace good common sense and immediate life safety decisions.
- B. The following is to serve as the procedure document for all County buildings.

II POLICY

It is the policy of Tioga County to provide an emergency response plan to alert County employees and the public that an active shooter appears to be actively engaged in killing or attempting to kill in any County Building or on County grounds.

III DEFINITIONS:

For purposes of this Policy:

- A. Active Shooter (Threat) - is defined as an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearm(s), but any weapon could be a possibility. There is no pattern or method to their selection of victims.
- B. Lockdown - is a process of alerting staff and visitors in an area or building that a life threatening situation is either on-going or imminent and that evacuation from the area or building may be unsafe and may require other immediate action to be taken.

IV PROCEDURES:

- A. Lockdown alert

Any employee who observes, or is informed that an individual is on the property or in the building with a weapon with the intent to use the weapon to harm others should immediately call 911 and activate the closest panic button or designated emergency notification system. Notification systems may vary by building. Once the alert sounds, all staff and visitors should consider the facility to be in Lockdown and take immediate and appropriate action to insure their safety.
- B. Immediate Vicinity Actions

If you are within the immediate vicinity of an active shooter you must take immediate action in an effort to protect yourself. **RUN, HIDE, and or FIGHT.**

 - 1. RUN. If there is an immediate and safe way out, then attempt to evacuate. This is your first and best option. Once you feel you're safe, immediately call 911 or attempt to alert law enforcement. Once you are in a safe place, remain there until instructed to do otherwise by law enforcement.
 - 2. HIDE. If evacuation is not possible, find a place to hide which provides immediate cover and concealment from the threat.
 - a. Go to the nearest room. Close and lock or barricade the door if possible.
 - b. Keep concealed and quiet and remain still until directed by law enforcement.

3. FIGHT. As a last resort and only if you can't run or hide, physically engage the shooter in an effort to incapacitate them or to facilitate your safe evacuation.
 - a. Commit and act with aggression by any means to incapacitate the shooter.
 - b. When you can do so safely, immediately call 911 or attempt to alert law enforcement.

C. Nearby Vicinity Actions

If you are within the facility and you become aware of an active shooter situation, either by Lockdown Alert, Panic Alert or other means, you must take immediate action in an effort to protect yourself.

1. DO NOT GO NEAR the location of the threat. If you can evacuate the facility quickly and safely then you should attempt to do so.
2. If you cannot evacuate quickly or safely, proceed to a safe area. A safe area would be any room where the door can be locked or barricaded. Employees should assist visitors to a safe area, as appropriate.
3. Lock all the doors and turn off the lights. If the door does not have a lock, then attempt to barricade the door.
4. If at all possible, position yourself away from all doors and windows, and lie on the floor. Try to remain quiet and out of possible view of the threat.
5. If a fire alarm should sound during a Lockdown, ignore the alarm unless you see fire or smell smoke. This could be a false alarm used by the threat to draw people out of the safe areas and into danger.
6. If the threat enters into or near your safe area, try to remain calm. Dial 911, if possible, and alert law enforcement to the location. If you can't speak, leave the phone line open so the emergency dispatcher can listen to what's taking place.
7. When the threat departs your safe area, you should consider moving immediately to a safer place away from the threat. Do not touch any objects left behind by the threat.

8. No matter what the circumstances, if you decide to flee during an “active shooter” situation, make sure you have an escape route and plan in mind. Move quickly and quietly.

D. Active Shooter Outside of the Facility

Any employee who observes, or is informed that an individual is outside of the facility with a weapon with intent to use the weapon to harm others should immediately call 911 and activate the closest panic button. Once the panic alert sounds, all staff and visitors should consider the facility to be in Lockdown and take immediate and appropriate action to insure their safety.

1. Immediately call 911.
2. If a security detail is not on-site, attempt to safely secure all entrance doors.
3. DO NOT evacuate the building. Stay away from all windows and find a safe area that provides cover and concealment.
4. If you can do so safely, remain in place, out of view from the threat, until instructed to do otherwise by law enforcement personnel.

E. Law Enforcement Response Expectations

Responding law enforcement officers will immediately attempt to engage and incapacitate the threat. Their response will be dynamic and aggressive. Employees should be mindful of the following:

1. Officers may appear in uniform or in plain clothes and will have their weapons drawn.
2. Officers may aggressively confront any evacuating individual, until they are convinced that the individual is not a threat.
3. When approached by law enforcement, keep your hands visible, and follow their commands.
4. Until the threat is incapacitated, law enforcement officers may not render first aid to injured individuals. Medical first responders may only enter and provide aid when the facility has been secured by law enforcement.

5. If you hear or see that law enforcement is in or near your safe area, stay where you are and do not open the door. Law Enforcement will remove you when it's safe to do so. If you are removed at the direction of law enforcement, approach the officer with your hands empty, palms forward – this will show that you are no threat to law enforcement.
6. Once the threat has been removed, law enforcement will immediately secure the facility as a crime scene and will have entire authority over all personnel within or near the scene.
7. Employees should not handle any items within or near the scene unless authorized by law enforcement personnel.

F. Post Event Staging and Accountability

At the conclusion of a Lockdown or an active shooter incident Law Enforcement and first responders may be rendering aid to the injured and initiating a criminal investigation.

1. Law Enforcement will have full authority of all personnel and visitors within the facility or on the property. Personnel and visitors may be directed to relocate to another area for investigative interview or debriefing. Personnel should not leave the area until directed by law enforcement.
2. Employees should not speak to media which might be present unless authorized to do so by law enforcement.
3. Employees should not remove or handle any item at the scene unless authorized by law enforcement.
4. Employees who were able to evacuate the facility and left the immediate area during the incident will attempt to contact law enforcement to disclose their location. Disclosing the location of evacuated personnel from the facility will provide for accountability of personnel, as well as facilitating the subsequent criminal investigation.

V. TRAINING

Training shall be conducted for all employees, with the objective of bringing awareness of the potential for an active shooter event, and best practices in preparedness and employee action in these types of events.

VI. REVIEW

A review of this policy and training materials shall be conducted each year to insure that they are current with best practices.

VII. BUILDINGS

- A. Ronald E. Dougherty County Office Building
56 Main Street
Owego, NY 13827
- B. Public Safety Building
103 Corporate Drive
Owego, NY 13827
- C. Health & Human Services Building
1062 State Route 38
Owego, NY 13827
- D. County Courthouse
Park Street
Owego, NY 13827
- E. Court Annex Building
20 Court Street
Owego, NY 13827
- F. County Clerk's Building
16 Court Street
Owego, NY 13827
- G. Public Works – Highway Garage
State Route 96, P. O. Box 291
Owego, NY 13827
- H. Public Works – Buildings & Grounds Building
68 Temple Street
Owego, NY 13827

- I. Mental Hygiene – Waverly Office
80 William Donnelly Parkway
Waverly, NY 14892

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 122–17 ADOPT LOCAL LAW NO. 1 OF 2017

WHEREAS: A public hearing was held on May 4, 2017, following due notice thereof to consider the adoption of Local Law Introductory No. A of the Year 2017 A Local Law A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 1 of 2017; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 1 of the Year 2017.

A Local Law establishing the salary for the Office of County Treasurer for the four year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: PURPOSE

As set forth at Local Law No. 3 of 2003, the annual salary for the elected public office of County Treasurer shall not be increased during a term of office.

Accordingly, it is the purpose and intent of this Local Law to establish the salary for Office of County Treasurer for the four-year term of office commencing January 1, 2018 and continuing through and including December 31, 2021.

SECTION 2: ANNUAL SALARY

- B) The annual salary for the Office of County Treasurer for the term of office beginning January 1, 2018 and continuing through and including December 31, 2021 is hereby established as follows:

- | | |
|---------------------|----------|
| 1. County Treasurer | \$68,000 |
|---------------------|----------|

SECTION 3: SEVERABILITY

If any clause, sentence, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any Court or Agency of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section, rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 4: EFFECTIVE DATE

This Local law shall take effect January 1, 2018.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 123-17 ABOLISH ONE (1) VACANT FULL-TIME
OFFICE SPECIALIST I; AND CREATE
ONE (1) FULL-TIME PUBLIC HEALTH
EDUCATOR
PUBLIC HEALTH DEPARTMENT

WHEREAS: Legislative approval is required to abolish and create any position within Tioga County; and

WHEREAS: An Office Specialist I position (CSEA SG III, \$24,507–\$25,207) has been vacant within the Public Health Department since March 17, 2017; and

WHEREAS: The Public Health Director has determined that said vacancy would be better utilized within the agency if classified as a Public Health Educator; therefore be it

RESOLVED: That one (1) vacant full-time Office Specialist I position shall be abolished and one (1) full-time Public Health Educator position (CSEA SG XI, \$40,790-\$41,490) shall be created effective May 10, 2017.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Abstain – Legislator Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES
COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 124-17 *ABOLISH ONE (1) VACANT FULL-TIME
COMMUNITY HEALTH NURSE; AND
CREATE ONE (1) FULL-TIME PUBLIC
HEALTH NURSE
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Legislative approval is required to abolish and create any position within Tioga County; and

WHEREAS: A Community Health Nurse position (CSEA SG XV, \$51,172–\$51,872) has been vacant within the Public Health Department since February 17, 2017; and

WHEREAS: The Public Health Director has determined that said vacancy would be better utilized within the agency if classified as a Public Health Nurse; therefore be it

RESOLVED: That one (1) vacant full-time Community Health Nurse position shall be abolished and one (1) full-time Public Health Nurse position (CSEA SG XV, \$51,172-\$51,872) shall be created effective May 10, 2017.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 125-17 *AUTHORIZE APPOINTMENT OF
VOTING MACHINE TECHNICIAN
BOARD OF ELECTIONS*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: A part-time Voting Machine Technician position became vacant on April 18, 2017; and

WHEREAS: The Democratic Commissioner of the Board of Elections received authorization to backfill said vacancy; therefore be it

RESOLVED: That Emily Price is appointed to the title of Voting Machine Technician retroactive to May 1, 2017 at the established non-union rate of \$16.52 per hour.

ROLL CALL VOTE

Yes – Legislators Roberts, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Abstain – Legislators Standinger and Sullivan.

Absent – None.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -17 CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
PERSONNEL OFFICE

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Tioga Personnel Department has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the department for a specialized project; and

WHEREAS: The Personnel Officer has appropriately budgeted for said position according to resolution 280-16; and

WHEREAS: Following recruitment, a qualified candidate has been identified; therefore be it

RESOLVED: That the Personnel Officer is hereby authorized to create one (1) temporary, full-time position of Clerk (Seasonal) at the 2017 established rate of \$11.39/hour; and be it further

RESOLVED: That Addison O'Rourke shall be hired to fill said position effective May 15, through August 15, 2017.

Legislator Hollenbeck made a motion to withdraw the following resolution, seconded by Legislator Monell.

ROLL CALL VOTE TO WITHDRAW RESOLUTION

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION WITHDRAWN.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 126-17 *CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Tioga County Treasurer has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the Treasurer's Office; and

WHEREAS: The Treasurer appropriately budgeted for this seasonal position; therefore be it

RESOLVED: That the County Treasurer is hereby authorized to create and fill one (1) temporary, full-time position of Clerk (Seasonal) at the rate of \$11.39/hour effective May 27, through September 1, 2017.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolution considered, seconded by Legislator Sullivan and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 127-17 *AMENDING POLICY 41
TIOGA COUNTY COMMERCIAL
DRIVER LICENSE DRUG AND ALCOHOL
TESTING*

WHEREAS: The Legislature wishes to amend Policy 41 to reflect the regulations set forth in Federal Motor Carrier Safety Administration Sections 382.303 and 382.305; therefore be it

RESOLVED: That Section IV paragraph 3 Post Accident Testing sub-paragraph b is amended as follows:

b. Each employee performing safety sensitive functions with respect to a vehicle involved in an accident shall be tested for alcohol and drugs if:

- The accident involves a human fatality;
- The accident involves bodily injury with immediate medical treatment away from the scene and CDL operator cited for a moving violation;
- Disabling damage to any motor vehicle requiring tow away and CDL operator cited for a moving violation;

And be it further

RESOLVED: That Section IV paragraph 4 Random Testing sub-paragraph b is amended as follows:

b. The selection of employees for random alcohol or drug testing shall be made by a scientifically valid method, such as a random number table or a computer based random number generator that is matched with the employee's social security number, payroll identification number or other comparable identifying number. Each employee shall have an equal chance of being tested each time selections are made. An employee may be selected for both types of tests at the same time;

And be it further

RESOLVED: That Section IV paragraph 4 Random Testing sub-paragraph c is amended as follows:

c. The number of random drug and alcohol tests conducted each year shall be consistent with the minimum annual percentage testing rate as determined by the Federal Motor Carrier Safety Administration;

And be it further

RESOLVED: That Section VII Violations, sub-paragraph A 1 is amended as follows:

1. Having a verified positive result after having taken a drug or alcohol test as required by this policy. For purposes of this subparagraph A, a verified positive result includes an alcohol test indicating an alcohol concentration of .04 percent or more;

And be it further

RESOLVED: That the remainder of Policy 41 is unchanged.

ROLL CALL VOTE

Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen and Sauerbrey.

No – None.

Absent – None.

RESOLUTION ADOPTED.

The meeting was adjourned at 11:46 P.M.

Third Special Meeting
May 18, 2017

The Third Special Meeting of 2017 was called to order by the Chair at 10:32 A.M. All Legislative members were present.

Chair Sauerbrey asked Legislator Roberts to have a moment of prayer. "I would ask for a moment of silence."

Legislator Roberts led all Legislators and those in attendance in the Pledge of Allegiance.

There were 7 people in attendance.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. -17 CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
PERSONNEL OFFICE

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Tioga Personnel Department has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the department for a specialized project; and

WHEREAS: The Personnel Officer has appropriately budgeted for said position according to resolution 280-16; and

WHEREAS: Following recruitment, a qualified candidate has been identified; therefore be it

RESOLVED: That the Personnel Officer is hereby authorized to create one (1) temporary, full-time position of Clerk (Seasonal) at the 2017 established rate of \$11.39/hour; and be it further

RESOLVED: That Addison O'Rourke shall be hired to fill said position effective May 22, through August 15, 2017.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Sauerbrey, Monell and Weston.

No – Legislators Roberts, Standinger, Huttleston, Mullen and Sullivan.

Absent – None.

RESOLUTION FAILED.

The meeting was adjourned at 10:36 A.M.

Sixth Regular Meeting
June 13, 2017

The Sixth Regular Meeting of 2017 was held on June 13, 2017 and was called to order by the Chair at 6:01 P.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Sauerbrey asked for prayer. "We thank you Lord for the blessings of freedom in our Nation. We ask for peace in our Nation, in our States and our Counties, and our Towns and Villages, and we ask for guidance as leadership."

Chair Sauerbrey led all Legislators and those in attendance in the Pledge of Allegiance.

There were 15 people in attendance.

Chair Sauerbrey noted that we have two recognition resolutions this month.

Chair Sauerbrey read the following recognition resolution for former Legislator Charlene Caldwell posthumously.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 128-17 *RECOGNITION RESOLUTION*
RECOGNIZING CHARLENE CALDWELL
POSTHUMOUSLY

WHEREAS: Charlene B. Caldwell passed away in May 2017; and

WHEREAS: The Tioga County Legislature would like to posthumously recognize Ms. Caldwell for her years of dedicated service as a Tioga County Legislator; and

WHEREAS: Charley as she was affectionately known served as Mayor of the Village of Owego from 1994 to December of 1995 and was elected to the position of Tioga County Legislator on January 1, 1996 and served for 6 years until leaving office on December 31, 2001; and

WHEREAS: Charley served as Chair of Personnel, Legislative Support and Elections, and the Public Safety Committee. She also served on the Social Services, County Clerk & Records Management, Economic Development & Planning/Tourism/Legal/Information Systems/Job Training, Safety/Right to Know, and Public Safety and Probation Committees; and

WHEREAS: One of Charley's most significant projects was her leadership role on the Project Advisory Committee for the Court Street bridge located in Owego, New York. The former bridge had been deemed unsafe and New York State DOT required the demolition and reconstruction of a new bridge. Charley along with other members of the Project Advisory Committee worked with DOT to ensure the new bridge would reflect the local history and tradition of the community while keeping with the natural surroundings of our historic community. There were many challenges during the process, however because of her dedication and tenacity, the project moved forward. Our beautiful Court Street bridge stands today as a reminder of strong leadership and community will; and

WHEREAS: Charley is survived by her three children, daughter Ann Milaski and two sons, Clay Caldwell and John Caldwell; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Charlene B. Caldwell posthumously for her years of dedicated service to Tioga County as a Tioga County Legislator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to the family of Charlene B. Caldwell.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger read and presented the following recognition resolution to Susan Bogart of the Mental Hygiene Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 129-17 *RECOGNITION OF
SUSAN E. BOGART'S 20 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Susan E. Bogart was appointed to the position of Records Management Clerk on May 5, 1997 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Susan E. Bogart has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 20 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Bogart will retire on June 30, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Susan E. Bogart for her 20 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Susan E. Bogart.

ROLL CALL VOTE

Unanimously Yes – Legislators Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, Mullen and Sauerbrey.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED UNANIMOUSLY.

Lori Morgan, Community Services Director, spoke. "I am not her boss, she is my boss. I would just like to take this opportunity to acknowledge Sue Bogart for her 20 years of service. Sue has been an integral part of our day to day operations within the Records Department and that has served us very well. She

will be truly missed and people wanted to share a little bit about Sue Bogart, so this comes from many people in our Department.

"Sue always comes to work with a smile on her face and is a joy to be around. She has a wealth of knowledge about many things, is always ready and willing to lend a helping hand. Sue is a great multitasker, often answering phones and e-mails as she attends to other tasks. Sue has exceeded expectations of a Records Clerk. She is a counselor, a secretary, and a conflict resolutionist. She is a shoulder to lean on for her colleagues and an advocate for patients. She is a data collector, a reporter, and all of the aforementioned rolled into one. She changes hats she wears on a daily basis with great ease. I am still trying to figure out how we are going to get along without her. Sue thank you for choosing to come to work with us every day, for helping us with the changes that have taken place over the past 20 years, and being easy and enjoyable to work with. Thank you for your time, energy and years of service. You will truly be missed by everyone."

Sue Bogart spoke. "Thank you and I am going to miss everybody."

Legislator Standinger read and presented the following Proclamation to Kylie Gates of the Public Health Department.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: June is nationally recognized as Safety Month; and

WHEREAS: 44% of deaths in Tioga County are related to unintentional injuries and is the leading cause of deaths nation-wide; and

WHEREAS: Deaths related to distracted and impaired driving, workplace hazards, poisonings, falls and choking are completely preventable; and

WHEREAS: Safety at home consists of securing chemicals including prescription medications, preventing falls, caution around water, working fire alarms and reducing choking hazards; and

WHEREAS: Employers that support safe work environments see improved morale, increased productivity, lower costs and fewer injuries; and

WHEREAS: Steps to decrease distracted and impaired driving increases the safety of roads for all drivers, pedestrians and cyclists; therefore

THE TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of June 2017 as:

NATIONAL SAFETY MONTH

and urges all the citizens of our County to add safety into their daily work and home lives.

Legislator Standinger spoke. "That being said, Lisa McCafferty will now have something else to hang on the wall up there. A son of one of my friend's was just involved in a motorcycle accident unfortunately and he is still sitting in the hospital because someone was not paying attention and pulled out in front of him. We can all talk about people we know that have been involved in accidents of one variety or another, and the whole key is that we pay attention to what the heck we are doing and if we do that we will be a lot safer."

Kylie Gates of the Public Health Department spoke. "I am a Public Health Educator with Tioga County Public Health. Tioga County Public Health will continue to focus on summer safety. We will be at Strawberry Festival this weekend both at the 5K and we will be in the parade. We will be sending home summer safety tips to all of our students from preschool to second grade throughout the County. We also continue to have free tick removal kits at Tioga County Public Health, Tioga County Department of Aging, and at all of our Rabies Clinics. We will also be holding at least two more car seat check events between now and September, and we will continue to update our Facebook page and website with summer safety tips all summer long. Thank you."

There was no privilege of the floor.

Legislator Roberts made a motion to approve the minutes of May 9 and 18, 2017, seconded by Legislator Sullivan, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 130-17 *ADOPT EMPLOYEE HANDBOOK
REPLACING POLICY HANDBOOK*

WHEREAS: A Tioga County Policy Handbook was adopted by the Tioga County Legislature on December 12, 1988; and

WHEREAS: Over the years policies have been added and are fragmented throughout the policy handbook so searching mechanisms are limited; and

WHEREAS: Policies adopted included forms that were made a part of the Policy Handbook; and

WHEREAS: Policy 33 History Books "Seasons of Change" is no longer needed; and

WHEREAS: It is the intent of the Legislature to have an Employee Handbook that is easy to discern, user friendly, and searching capabilities located to specific content, and all forms removed and kept in a separate folder on the County's Intranet; therefore be it

RESOLVED: That the current Policy Handbook shall be replaced by a new Employee Handbook, with the removal of History Books "Seasons of Change" Policy, which will be located out on Tioga County's Intranet and available to all employees of Tioga County along with any and all forms pertaining to any sections of the Employee Handbook.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC SAFETY COMMITTEE

RESOLUTION NO.131-17

*APPROVE ALTERNATIVES TO
INCARCERATION 2017-2018
SERVICE PLAN AND APPLICATION FOR
FUNDING*

WHEREAS: The Alternatives to Incarceration Service Plan for 2017-2018 was presented to members of the Alternatives to Incarceration Board via email distribution on May 10, 2017 and approved; and

WHEREAS: The Alternatives to Incarceration Programs in Tioga County for PreTrial Release and Community Service have a long standing tradition of being an effective tool to reduce the amount of inmates in the Tioga County Jail; therefore, as the ATI Board approves the proposed plan, the Tioga County Legislature will also support it; therefore be it

RESOLVED: That the Tioga County Legislature approves the Alternatives to Incarceration Service Plan for the time period of 7/1/2017 to 6/30/2018 and submit same to the NYS Division of Criminal Justice Services and Office of Probation and Correctional Alternatives to continue state-grant funding for Pre-Trial Release, Community Service, and Specialized Alcohol/Drug Treatment.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 132-17 ACCEPTANCE OF HOMELAND SECURITY
GRANT AND APPROPRIATION OF FUNDS -
BUREAU OF FIRE

WHEREAS: The Office of Homeland Security announced in 2016 a Statewide Interoperable Communications Formula-Based Grant to the Tioga County Office Bureau of Fire. The grant was to be used as continuation of 2012 Interoperability Grant, to purchase subscriber equipment and maintenance of tower sites; and

WHEREAS: The Tioga County Bureau of Fire/EMS Office was authorized to apply for said grant by Resolution #224-16 (11/15/16); and

WHEREAS: The Tioga County Bureau of Fire/EMS Office has been awarded continuation of said grant in the amount of \$442,981 and said funds need to be appropriated; therefore be it

RESOLVED: That the grant funds be appropriated as follows:

From: A3415 433063 IO2016- State Aid Interoperable Communication Grant	\$442,981.00
To: A3415 520230 IO2016 Radio &Equipment	\$330,000.00
A3415 540140 IO2016 Contracted Services	\$112,981.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 133-17 ERRONEOUS ASSESSMENT
TOWN OF BARTON

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #659 in the Town of Barton assessed to Chaffee, Bradley J on the 2017 tax roll of the Town of Barton is erroneous in that due to a SCAR decision, the total assessment was reduced to \$58,000 for the 2016 tax roll and the 2017 tax roll was not updated accordingly; be it therefore

RESOLVED: That a new bill be issued to Chaffee, Bradley J by the Town of Barton Tax Collector as follows:

	<u>Original Bill #</u>	<u>Corrected Bill #</u>
County	644.22	441.31
Recycle	29.76	20.39
Town Wide	137.30	94.05
Barton Fire	<u>76.10</u>	<u>54.42</u>
	\$ 887.38	\$ 610.17

And be it further

RESOLVED: That the erroneous town tax of \$43.25 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$9.37 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$202.91 be charged to the proper account in the records of the County Treasurer; and be it further

RESOLVED: That the erroneous fire tax of \$21.68 be charged back to the Barton Fire.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 134-17 *APPOINT DIRECTOR
SOIL & WATER CONSERVATION
DISTRICT*

WHEREAS: Mark Kwiatkowski, Pomona Grange Representative to the Tioga County Soil and Water Conservation District has agreed to serve another term; and

WHEREAS: The Pomona Grange has recommended Mark Kwiatkowski, farm operator in Owego to fill said new term; therefore be it

RESOLVED: That Mark Kwiatkowski is hereby appointed the Pomona Grange Representative to the Tioga County Soil and Water Conservation District retroactive to January 1, 2017 and ending March 31, 2020.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 135-17 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Christopher Curry, expired on March 31, 2017; and

WHEREAS: Christopher Curry has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Christopher Curry for another three-year term of 4/1/17 – 3/31/20.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 136-17 RE-APPOINT MEMBER TO THE TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION (TCLDC)

WHEREAS: The term of Tioga County Local Development Corporation member, Lisa Engelbert, expired on March 31, 2017; and

WHEREAS: Lisa Engelbert has expressed a desire for re-appointment to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby re-appoint Lisa Engelbert for another three-year term of 4/1/17 – 3/31/20.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 137-17 *RESOLUTION REAPPOINTING
MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Dr. Keith Nichols' appointment to the Community Services Board expired on March 31, 2017; and

WHEREAS: The Community Services Board has recommended Dr. Keith Nichols reappointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Dr. Keith Nichols be reappointed to the Community Services Board, for term starting April 1, 2017 and ending March 31, 2021.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 138-17 TRANSFER OF FUNDS MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the inpatient treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That funds be transferred as follows:

From: A4310 540140	Mental Hygiene-Contracting Services	\$8,611.05
To: A4390 540590	Criminal Psychiatric: Services Rendered	\$8,611.05

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 139-17 APPROPRIATION OF FUNDS
MENTAL HYGIENE

WHEREAS: The Suicide Coalition of Tioga County has received a gift donation; and Tioga County Department of Mental Hygiene is the administrator of these funds; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4322 427051	Gifts and Donations	\$ 2,000
To: A4322 540010	Advertising	\$ 200
A4322 540130	Contracting Services	\$ 100
A4322 540360	Meals/Food	\$ 100
A4322 540420	Office Supplies	\$ 400
A4322 540485	Printing	\$ 400
A4322 540640	Supplies Not Office	\$ 400
A4322 540733	Training	\$ 400

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 140-17 APPROPRIATION OF FUNDS MENTAL HYGIENE

WHEREAS: New York State Office of Alcoholism and Substance Abuse (OASAS) funding has been awarded to HealthLinkNY; and

WHEREAS: OASAS has identified Tioga County Mental Hygiene to be the administrator of these funds and pass-through to HealthLinkNY; and

Spencer Van Etten Schools PAVE	\$ 7,050
Cooperative Extension Family Resource Centers	\$ 7,080
Tioga Central School District Summer Recreation	\$ 5,785
Big Brothers Big Sisters	\$ 5,000
Village of Waverly Summer Recreation	\$ 5,112
Kali's Klub House	\$ 4,785
Town of Owego Summer Camp	\$ 3,785
Newark Valley Joint Summer Recreation	<u>\$ 1,700</u>
TOTAL	\$40,297

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 142-17 APPROVE FUNDING
 2017 SUMMER YOUTH EMPLOYMENT
 PROGRAM FUNDING

WHEREAS: Additional funding has been awarded to Tioga County Department of Social Services from the Office of Temporary and Disability Assistance for Summer Youth Employment Programs; and

WHEREAS: The plan submitted for expenditure of these funds has been approved; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A6010.446100 Federal Aid: Administration	\$96,973
To: A6010.540140 Contractual	\$86,973
A6010.540487 Program Expense	\$10,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL

RESOLUTION NO. 143-17 *AUTHORIZE PURCHASE/CONTRACT OF TIME & ACTIVITY SOFTWARE TO MCGUINNESS & ASSOCIATES, APPROPRIATE SOFTWARE RESERVE FUNDS & TRANSFER TO PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) has an identified need to obtain a software system for Time & Activity Capture; and

WHEREAS: TCPH has developed, released and received responses to a Request for Proposal (RFP) for the Time & Activity Capture; and

WHEREAS: An RFP review committee determined the response from McGuinness & Associates in the amount of \$49,000 to be the winning bid; and

WHEREAS: Partial reimbursement of expenditures will be available to TCPH from NYS Department of Health State Aid; and

WHEREAS: Funds need to be transferred from the Capital Software Reserve Fund to the Public Health Capital Fund to be eligible for reimbursement; and

WHEREAS: Fund transfers and RFP awards require Legislative approval; therefore be it

RESOLVED: That the Tioga County Legislature awards and authorizes a contract for Time & Activity Capture RFP to McGuinness & Associates in the amount of \$49,000; and be it further

RESOLVED: That the Funds be appropriated from Capital Software account and transferred as follows:

FROM:	H387804 Software Reserve Fund	\$31,360
FROM:	H4011-434010 Public Health State Aid	\$17,640
TO:	H4011-520620 Public Health Capital Account	\$49,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standing, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 144-17 *SCHEDULE PUBLIC HEARING FOR NEW YORK STATE COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION*

WHEREAS: Current mobile dental trailer has been identified as aging and requiring replacement; and

WHEREAS: New York State Community Development Block Grant Program funds projects for public facilities up to the amount of \$300,000; and

WHEREAS: Tioga County has identified the New York State Community Development Block Grant Program as an opportunity to partially fund replacement of current mobile dental trailer; and

WHEREAS: Tioga County seeks to request \$300,000 toward the cost of replacing the mobile dental trailer; therefore be it

RESOLVED: That the Tioga County Legislature will hold a public hearing for community input in regard to the proposed grant request in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, June 22, 2017 at 10:00 A.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan introduced Local Law Introductory No. B of 2017.

County of Tioga

Local Law No. of the Year 2017.

A Local Law amending Local Law 6 of the year 2015 which authorized a 2015 resolution recodifying and reimposing sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, so as to provide that said 2015 resolution may thereafter be amended from time to time including for the purpose of extending said taxes by amending the 2015 resolution's ending date.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: That Section 2 of Local Law No. 6 of the year 2015 be amended as follows:

SECTION 2: Notwithstanding the repeal of such Local Law No. 1 of 1968 by this Local Law, all provisions of such Local Law No. 1 of 1968, in respect to the imposition, exemption, assessment, payment, payment over, determination, collection, and credit or refund of taxes imposed thereunder, the filing of forms and returns, the preservation of records for the purposes of such taxes, the secrecy of returns, the disposition of revenues, and the civil and criminal penalties applicable to the violation of the provisions of such Local Law, shall continue in full force and effect

with respect to all such taxes accrued up to December 1, 2015; all actions and proceedings, civil or criminal, commenced or authorized to be commenced under or by virtue of any provision of such Local Law No. 1 so repealed, and pending or able to be commenced immediately prior to the taking effect of such repeal, may be commenced, prosecuted and defended to final effect in the same manner as they might if such provisions were not so repealed; and the provisions of the resolution effective December 1, 2015 as amended from time to time, recodifying and reimposing the taxes imposed by such Local Law No. 1, shall be construed as a continuation of the provisions of Local Law No. 1, modified or amended according to the language employed, and not as an enactment of new taxes, other than the additional one percent rate of such taxes imposed for the period commencing December 1, 2015.

SECTION 2: This enactment shall take effect upon filing with the Secretary of State.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 145-17

*SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. B OF 2017*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. B of 2017 A Local Law amending Local Law 6 of the year 2015 which authorized a 2015 resolution recodifying and reimposing sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, so as to provide that said 2015 resolution may thereafter be amended from time to time including for the purpose of extending said taxes by amending the 2015 resolution's ending date in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, July 6, 2017 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 146-17

*ABANDON N. ELLISTOWN ROAD,
BROAD STREET EXTENSION AND WAVERLY
HILL ROAD TO TOWN OF BARTON*

WHEREAS: Tioga County has determined that there are three shorter County Roads that the abandonment of would increase efficiencies in the Tioga County Department of Public Works snow removal operations; and

WHEREAS: The Town of Barton has submitted resolution 04-2017 accepting ownership of the N. Ellistown Road, Broad Street Extension and Waverly Hill Road; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes abandonment of N. Ellistown Road, Broad Street Extension and Waverly Hill Road effective June 14, 2017 to the Town of Barton.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 147-17 APPROVE SUPPLEMENTAL AGREEMENT FOR DIAMOND VALLEY ROAD BRIDGES – CONSTRUCTION SUPPORT SERVICES

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges; and

WHEREAS: The Diamond Valley Rd. Bridges BIN: 3335540 and BIN: 2219010 are a couple of bridges in the bridge bond program; and

WHEREAS: Delta Engineers was awarded the design services on Resolution 19-17 and Resolution 18-17; and

WHEREAS: The Tioga County Legislature authorized the Department of Public Works to hire two (2) temporary construction inspectors to save the County money; and

WHEREAS: There is a need for Construction Support Services to provide Engineering Services for the projects; and

WHEREAS: Delta Engineers of Endwell, NY has submitted a proposal of \$3,650.00 for BIN 2219010 and \$11,330.00 for BIN 3335540; therefore be it

RESOLVED: That the Tioga County Legislature approve the Supplemental Agreement for Delta Engineers, Endwell, NY to provide Construction Support Services not to exceed \$14,980 to be paid out of the following accounts:

H5110.540002.H1704 – Diamond Valley Road Bridge – BIN 3335540	\$11,330.00
H5110.540002.H1707 – Diamond Valley Road Bridge – BIN 2219010	\$ 3,650.00

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS

RESOLUTION NO. 148-17

AWARD CONSTRUCTION
DIAMOND VALLEY RD. BRIDGES
BIN: 3335540 & BIN: 2219010

WHEREAS: Tioga County bonded for a program for rehabilitation of various bridges within the County; and

WHEREAS: Funding is available for the construction of the Diamond Valley Rd. Bridges BIN: 3335540 & BIN 2219010; and

WHEREAS: The Commissioner of Public Works received sealed bids on May 30, 2017 and the bids came in as follows:

Economy Paving Company, Inc.	\$799,070.99
R. DeVincentis Construction, Inc.	\$896,000.00
Vector Construction Corp.	\$834,259.55

And

WHEREAS: Delta Engineers, Endwell, NY have completed the review of the bids and finds the low bidder Economy Paving, Cortland, NY meets all of the qualifications of the bid specifications; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Economy Paving, Cortland, NY not to exceed \$799,070.99 to be paid out of the following accounts:

H5110.540002.H1704 – Diamond Valley Road Bridge – BIN 3335540	\$715,674.98
H5110.540002.H1707 – Diamond Valley Road Bridge – BIN 2219010	\$ 83,396.01

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
 RESOLUTION NO. 149-17 AWARD BID FOR DAY HOLLOW PAVEMENT REHABILITATION

WHEREAS: The Commissioner of Public Works appropriated funds in the 2017 budget for this project; and

WHEREAS: On May 16, 2017 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$777,470.00
Bothar Construction, Binghamton NY	\$799,799.00
Barrett Paving, Inc., Vestal NY	\$690,424.00
Suit-Kote Corp., Cortland NY	\$694,940.00
Dalrymple Gravel and Contracting, Pine City NY	\$730,000.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Barrett Paving Inc., Vestal NY not to exceed \$690,424.00 to be paid out of Day Hollow Paving Account H5110.540001.H1701

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC SAFETY COMMITTEE
 RESOLUTION NO. 150-17 AWARD BID FOR SINGLE SOURCE PROCUREMENT; MOVEMENT OF RADIO EQUIPMENT (CANDOR-CARMICHAEL-POPPLER)

WHEREAS: Tioga County has been awarded a Statewide Interoperable Communications Grant by the State of New York for the improvement of radio communications facilities in Tioga County; and

WHEREAS: These improvements require the county to employ a contractor to move some existing public safety radio equipment from their current structures to newly placed shelters; and

WHEREAS: The County has an existing agreement with Tri-County Communications to maintain and repair the public safety radio equipment including the equipment which currently needs to be moved. Tri-County Communications will be responsible for the equipment before and after it is relocated and will be the entity required to work through any issues created by the equipment's move. As such, Tri-County Communications is the single source for maintaining the radio equipment; and

WHEREAS: Tri-County Communications is performing other tasks funded by the Interoperable Grant and is well experienced with the County's public safety communications infrastructure as they have been working on Tioga County communications infrastructure since 1980 and have knowledge of the County's equipment and component installation requirements including the equipment at issue; and

WHEREAS: Tri-County Communications is presently the single entity with the experience and knowledge to relocate the equipment, resolve issues associated with the move and to complete the work within the project timeline and is willing to move the equipment at an additional cost as such work is not covered by their current agreement; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby recognize Tri-County Communications as the single source for relocating existing public safety radio equipment to its new location and hereby awards the work, upon approval by the County Attorney, to Tri County Communications of Oneonta for an amount not to exceed Thirty Nine Thousand Dollars (\$39,000.00).

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 151-17 *RETITLE AND AMEND CLASSIFICATIONS WITHIN DISPATCHER SERIES, AUTHORIZE SALARY REALLOCATION SHERIFF'S OFFICE*

WHEREAS: Legislative approval is required for the reclassification and or reallocation of positions within salary grades; and

WHEREAS: Following the receipt of twelve position description questionnaires, the Personnel Department conducted a desk audit within the Communications Division within the Sheriff's Office, of the Dispatcher classification where the rate of turnover is approximately two (2) staff per year and includes the following titles: E911 Dispatcher Trainee (CSEA SG VI), E911 Dispatcher (CSEA SG VII), and Chief E911 Dispatcher (CSEA SG XI); and

WHEREAS: The Personnel Officer has determined that in light of the technological changes and developments within this classification series, it is appropriate to revise and modernize the classification and, in addition, to reallocate the salary grade assignment since the current assignment does not represent the nature of work performed; and

WHEREAS: The following recommendations are made following said desk audit:

<u>CURRENT</u>			<u>PROPOSED</u>		
E-911 DISPATCHER			PUBLIC SAFETY DISPATCHER		
TRAINEE	SG VI	\$29,547	TRAINEE	SG VII	\$33,514
E-911 DISPATCHER	SG VII	\$33,514	PUBLIC SAFETY DISPATCHER	SG X	\$39,122
CHIEF E-911			CHIEF PUBLIC SAFETY		
DISPATCHER	SG XI	\$40,790	DISPATCHER	SG XII	\$42,443

and

WHEREAS: Incumbents within the current classifications shall have a continuation of status under civil service laws and rules within the proposed classifications; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the abolishment of the following full-time titles: E911 Dispatcher Trainee, E911 Dispatcher, and Chief

E911 Dispatcher and authorizes the creation of the following full-time titles within the following CSEA Salary Grades: Public Safety Dispatcher Trainee (SG VII), Public Safety Dispatcher (SG X), and Chief Public Safety Dispatcher (SG XII) effective retroactive to March 20, 2017; and be it further

RESOLVED: That said classification changes will result in an annual salary increase to each current incumbent as follows: Public Safety Dispatcher Trainee - \$3,967, Public Safety Dispatcher - \$5,608, and Chief Public Safety Dispatcher - \$1,653 effective retroactive to March 20, 2017.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 152-17 *ABOLISH ONE (1) VACANT FULL-TIME SENIOR PROBATION OFFICER POSITION; AND CREATE ONE (1) FULL-TIME PROBATION OFFICER POSITION PROBATION DEPARTMENT*

WHEREAS: Legislative approval is required to abolish and create any position within Tioga County; and

WHEREAS: A Senior Probation Officer position (CSEA SG XII, \$42,443–\$45,290) will become vacant effective at the close of business on June 13, 2017; and

WHEREAS: The Probation Director has determined that said vacancy would be better utilized within the agency if classified as a Probation Officer; therefore be it

RESOLVED: That one (1) vacant full-time Senior Probation Officer position shall be abolished and one (1) full-time Probation Officer position (CSEA SG XI,

\$40,790-\$41,490) shall be created effective June 14, 2017.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 153-17 *CREATE AND FILL TEMPORARY, FULL-TIME
CLERK (SEASONAL) POSITION
PERSONNEL OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Tioga Personnel Department has a need to hire a temporary, full-time Clerk to work during the summer season to provide clerical support within the department for a specialized project; and

WHEREAS: The Personnel Officer has appropriately budgeted for said position according to resolution 280-16; and

WHEREAS: Following recruitment, a qualified candidate has been identified; therefore be it

RESOLVED: That the Personnel Officer is hereby authorized to create one (1) temporary, full-time position of Clerk (Seasonal) at the 2017 established rate of \$11.39/hour; and be it further

RESOLVED: That Nancy Leonard shall be hired to fill said position retroactive to May 31, through September 1, 2017.

RESOLVED: That the Mental Hygiene Department's 2017 authorized full-time headcount shall increase from 30 to 31; and be it further

RESOLVED: That funding be appropriated as follows for the remainder of 2017:

From: A4310 416200	Mental Health Fees	\$34,021.07
To: A4310 510010	Full Time Salary	\$23,224.96
A4310 581088	State Retirement Fringe	\$ 2,270.83
A4310 583088	Social Security Fringe	\$ 1,647.08
A4310 584088	Workers Compensation Fringe	\$ 700.83
A4310 585588	Disability Insurance Fringe	\$ 53.75
A4310 586088	Health Insurance Fringe	\$ 6,116.53
A4310 588988	Eap Fringe	\$ 7.09

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 155-17 *CREATE AND FILL PERMANENT, FULL-TIME
MEDICAL DIRECTOR – MENTAL HYGIENE
POSITION
MENTAL HYGIENE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Mental Hygiene Department is in need of a licensed Psychiatrist to function as a director of clinical services provided by the department; and

WHEREAS: The Director of Community Services has submitted a new position duties statement to the Personnel Department; and

WHEREAS: Funding for the position partially exists in the Mental Health Budget; therefore be it

RESOLVED: That the Director of Community Services is hereby authorized to create one (1) permanent, full-time position of Medical Director – Mental Hygiene (non-union) effective June 14, 2017; and be it further

RESOLVED: That the Director of Community Services is authorized to appoint John Bezirgianian, M.D. to said position at an annual, non-union salary of \$175,000.00, effective July 10, 2017; and be it further

RESOLVED: That the Mental Hygiene Department's 2017 authorized full-time headcount shall increase from 31 to 32; and be it further

RESOLVED: That funding shall be transferred as follows for the remainder of 2017:

From: A4310 540140 Mental Health Contracting Services	\$72,328.80
To: A4310 510010 Mental Health Full Time	\$72,328.80

And be it further

RESOLVED: That a budget modification shall be as follows:

From: A4310 416200 Mental Health Fees	\$12,054.80
To: A4310 510010 Mental Health Full Time	\$12,054.80

And be it further

RESOLVED: That a budget modification from fund balance is as follows:

To: A4310 581088 State Retirement Fringe	\$ 3,130.36
A4310 583088 Social Security Fringe	\$ 6,008.11
A4310 584088 Workers' Compensation Fringe	\$ 810.91
A4310 585588 Disability Insurance Fringe	\$ 62.43
A4310 586088 Health Insurance Fringe	\$10,039.13
A4310 588988 EAP Fringe	\$ 8.41

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck made a motion to have the following late-filed resolutions considered, seconded by Legislator Mullen and carried.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO:

INFORMATION TECHNOLOGY

RESOLUTION NO. 156-17

*AUTHORIZE PAYMENT FOR FIBER-OPTIC
HARDWARE FROM CAPITAL
HARDWARE RESERVE ACCOUNT*

WHEREAS: The County Information Technology and Communication Services department is managing a project to create a redundant communications network between County buildings to enhance emergency preparedness; and

WHEREAS: The ITCS department has worked with the Emergency Management Office and Sheriff's Department to secure grant funding for a majority of the project; and

WHEREAS: The ITCS department has identified a potential gap in the funding provided by grants and the total cost of the project of \$52,000; and

WHEREAS: The ITCS department, after consultation with the Budget Officer, believes these funds should be supplied from the Hardware Reserve Account; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the allocation of \$52,000 from the Capital Hardware Reserve Account; and be it further

RESOLVED: That the funds be transferred from Capital Hardware Reserve Account to Information Technology Capital Account as follows:

From: H387805 Capital Hardware Reserve Account \$52,000

To: H1680 520989 Fiber Optic Lines \$52,000

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 157-17 *AUTHORIZE UNACCREDITED INTERNSHIP
(PUBLIC WORKS)*

WHEREAS: The Solid Waste division of the Public Works Department has identified a project for which an internship would be suitable for Summer 2017; and

WHEREAS: The selected student is enrolled at SUNY ESF in the Sustainable Energy Management program but will not earn college credits for this internship; and

WHEREAS: Policy 56, Section 1 allows for unaccredited internships if authorized by the Legislature; therefore be it

RESOLVED: That the Public Works Department is hereby authorized to have an unaccredited intern in the Solid Waste division; and be it further

RESOLVED: That Public Works is to follow the protocols in the rest of Policy 56.

ROLL CALL VOTE

Yes – Legislators Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck, Huttleston, and Mullen.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:25 P.M.

Public Hearing
New York State Community Development Block Grant
June 22, 2017

The Public Hearing on New York State Community Development Block Grant to partially fund or replace Tioga County's current mobile dental trailer was called to order by the Chair at 10:00 A.M. Seven Legislative members were present, Legislators Mullen and Weston being absent.

There were two people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Susan Medina, Deputy Director of Public Health spoke. "I just want to note that as we have looked at the dental trailer that we currently have, that it has been noted that it is aging and it is going to be needing replacement, so due to that we are applying for the Community Development Block Grant to help fund the replacement vehicle."

There being no further comments, the hearing was adjourned at 10:01 A.M.

*Public Hearing
Local Law Introductory No. B of 2017
July 6, 2017*

The Public Hearing on Local Law Introductory No. B of 2017 A Local Law amending Local Law 6 of the year 2015 which authorized a 2015 resolution recodifying and reimposing sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, so as to provide that said 2015 resolution may thereafter be amended from time to time including for the purpose of extending said taxes by amending the 2015 resolution's ending date was called to order by the Chair at 1:02 P.M. Seven Legislative members were present, Legislators Huttleston and Weston being absent.

There were four people in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no comments, the hearing was adjourned at 1:02 P.M.

Seventh Regular Meeting
July 11, 2017

The Seventh Regular Meeting of 2017 was held on July 11, 2017 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Weston being absent.

Chair Sauerbrey asked Legislator Standinger to have a moment of prayer. "Lord, we thank you for our many blessings and that we are born in a free Country, the United States of America. Please guide us as we conduct the business of the government of Tioga County."

Legislator Standinger led all Legislators and those in attendance in the Pledge of Allegiance.

There were 27 people in attendance.

Katie Searles of the Employee Recognition Committee presented the Employee of the 2nd Quarter 2017 to Adam Ace of the Public Health Department. "First off I would like to thank the Legislators for having the Employee Recognition Committee and supporting that. It really shows that you value your employees and we appreciate it.

"Adam started working for Tioga County Public Health as a Public Health Technician on August 13, 2012. Adam wears many different "hats". He keeps track of all the septic systems being constructed in the county. He learned the GIS mapping system and that system is now used for multiple areas in public health, which allows for quick recognition of potential Public Health problem areas to be addressed, which is of great benefit to Tioga County residents.

"Adam currently is the Healthy Neighborhood Coordinator in which he shows much knowledge and care for the families of Tioga County. In one situation, while at a home, he recognized the family was in a very dangerous situation that involved carbon monoxide. He was able to get the family out of the home to safety and call for assistance, and through it all remained calm. When recognized he humbly said "I was just doing my job". Adam took the initiative to improve internal forms for the department which can be auto-loaded into databases, preventing entry errors. There are many other responsibilities Adam cares for. If there is a job that seems impossible, Adam is the person who can do it.

"Not only is Adam a very handy person to have working for Public Health, he is also very handy at home, working on many different projects. Adam has

been happily married for 19 years to Arlene. He has 2 step daughters and 1 son and 2 grandsons. He enjoys camping and fishing. Adam is a real asset to Tioga County and we are grateful to have him working for Tioga County."

Legislator Standinger spoke. "I would like to say that Adam is certainly an excellent employee and I know for a fact that he puts a lot of time and effort into the program that he is responsible for with the Healthy Neighborhood, so I am glad that he is here and it is a well deserved honor."

Denis McCann, Director of Administrative Services for Public Health spoke. "Adam's direct Supervisor Todd Kopalek could not be here today and I am speaking on his behalf as well as on behalf of his coworkers. We are excited to have Public Health as a whole group that Adam is being recognized. As mentioned in the bio, Adam goes above and beyond what is asked. He is always looking for efficiencies, not just for us, but better ways to serve the clients. In the bio it mentioned about auto-loading from pdf forms for referrals. Some of these are some high need children at risk situations and Adams process of streamlining that not only help us and prevent data errors and things, it gets us out there quicker in serving those clients, which is always what Adam is looking for doing.

"Two additional ones, we had a Rabies Clinic, Tioga County is the first in the State that went through an electronic registration system and it is really nice. You have to get on line and register. There are a lot of residents in Tioga County that are not so savvy with the Internet and their Smart phones to do the registration. It is a pretty complicated website. Adam set up a text message thing where you can text in and it would automatically send you the link to the exact registration, which helped all of us at the Rabies Clinic, but it got the clients in quicker and out and served quicker. "We also had a requisition form on the fiscal side that Adam on his own went ahead and made an electronic auto fill, which made our lives easier for the whole Department.

"Adam is a great employee. He is also a great coworker. His colleagues respect him, they appreciate him, and they all like him. I will end with literally and figuratively we all look up to Adam."

Lisa McCafferty, Director of Public Health, spoke. "Good afternoon everyone, I think you pretty much have heard that Adam is a tremendous employee. I guess I will use the word awesome. In my career dealing with employees, the public and all that, he personifies the best. He can deal with the public, he can deal with cats and dogs, he can deal with tense situations. His ability to deal with the onsite septic system program is amazing because sometimes that can get a little dicey with some of the customers and he is a

tremendous asset to this County in what he does and kudos to him for this award."

Adam Ace spoke. "It is very encouraging to hear all those nice words and great thoughts about me. It is nice to be honored by your fellow workers. I appreciate the Employee Recognition Committee for nominating me and weeding through all those applicants. I appreciate the Legislative body for recognizing me as well and supporting the program, which I think is great for the employees. Thanks everybody in Public Health and everybody."

Chair Sauerbrey noted that we have one recognition resolution this month.

Legislator Standinger read and presented the following Recognition Resolution to Laura Ellis of the Mental Hygiene Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 158-17

*RECOGNITION OF
LAURA ELLIS 25 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
DEPARTMENT OF MENTAL HYGIENE*

WHEREAS: Laura Ellis was appointed to the position of Account Clerk Typist on March 8, 1993 for the Department of Social Services and transferred and promoted to Senior Account Clerk Typist in March 1996 to the Mental Hygiene Department, again promoted in 1999 to Administrative Assistant, in 2001, Senior Account Clerk that has been amended to Account Associate II on January 25, 2017 with Tioga County Department of Mental Hygiene; the position she still holds; and

WHEREAS: Laura Ellis has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 22 years to the Mental Hygiene Department. She has earned the respect of her director, colleagues and peers throughout Tioga County; and

WHEREAS: Mrs. Ellis retires on July 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Laura Ellis for

her 25 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Laura Ellis.

ROLL CALL VOTE

Unanimously Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. “Laura serves a very important part in the Mental Hygiene Department as far as what she does and quite often they are not the people that get the recognition, but I recognize that what she does is very important. The Department would have a tough time running without people that do the jobs like she does.”

Chris Korba, Director of Administrative Services for Mental Hygiene spoke. “I just want to thank you for all your hard work over these many years and your dedication and service to Tioga County. From the bottom of my heart I just want to say that you have made my job easier and you are always cooperative, you are always courteous, you have a wealth of experience and you really just made my job so much easier by all the direction you followed and just following through. If people have not had a chance to really sit behind the service desk, it is just a crazy atmosphere at times with phone calls coming in, a line of people at the window, and she is able to multitask and really just handle the flow of clients coming through with great expertise and just dedication. I really want to thank you for that.

“With your retirement, I just want to wish you wealth, health and happiness. Laura is going to be riding off into retirement sunset in a brand new car and a brand new camper, so she is going to be able to enjoy that. She also has a timeshare in Florida, so she is going to be able to really enjoy her retirement and again thank you for all your service.”

“Lori Morgan, Community Services Director spoke. “We are all envious of Laura and her retirement, but at the same time are sad. From all of us we will miss you dearly. You are the engine of the bus. I think that people do not give the frontline people enough credit a lot of time. I always call them the engine

of our bus. We are very happy that you will be enjoying the next stage of your life. I appreciate all that you have contributed to the agency over the years. Your dedication, flexibility and wisdom have all moved our agency mission forward. Personally you have faced many challenges and your responses to those challenges have been admirable. You have earned the respect of me personally and I will forever remember your story Laura because it is so powerful and I know you have earned the respect and admiration of the staff. We will miss you and we are all envious."

Laura Ellis spoke. "Thank you for the plaque and I really enjoyed working for Tioga County and as I told Lori in my letter I am going to truly miss my work family."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of June 13 and 22, 2017, seconded by Legislator Monell, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 159-17

*CONTINGENCY FUNDING –
HOUSING INMATES IN OTHER
COUNTY JAILS*

WHEREAS: The NYS Attorney General's Operation "Un-Wise" investigation resulted in the incarceration of more than twenty-three drug suspects in the Tioga County Jail; and

WHEREAS: The inmate population at the jail has exceeded the allowable available bed space set by the NYS Commission of Correction; and

WHEREAS: The NYS Commission of Correction has approved a substitute jail order providing for the housing of Tioga County inmates at other county jails until which time they can be housed at the Tioga County Jail; and

WHEREAS: The Sheriff has no funds to pay for housing Tioga County Inmates in other county jails, now therefore be it,

RESOLVED: That contingency funding is appropriated to pay for the housing of Tioga County Inmates at other County Jails as follows:

From: Contingency A1990 540715 (Transfer)	\$175,000
To: Jail Account A3150 540140 (Contracting Services)	\$175,000

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
	FINANCE COMMITTEE

RESOLUTION NO. 160-17	<i>CONTINGENCY FUNDING FOR JAIL INMATE MEDICAL</i>
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WHEREAS: The Sheriff is experiencing higher Medical Expenses than expected in the Jail; and

WHEREAS: Contingency funding is necessary to pay for inmate medical expenses offsite, now therefore be it,

RESOLVED: That the following contingency funds be appropriated as follows:

From: Contingency Account A1990 540715 (Transfer)	\$15,000
To: Jail Account A3150 540370 (Medical Expense)	\$15,000

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 161-17 *APPROPRIATION OF FUNDS AND BUDGET
MODIFICATION MENTAL HYGIENE*

WHEREAS: Tioga County Mental Hygiene (TCMH) has been allocated additional pass through state aid funding for the purpose of Ongoing Integrated Supported Employment; and

WHEREAS: TCMH has contracted with Rehabilitative Support Services to provide these services to Tioga County residents; and

WHEREAS: TCMH will incur no local share increase, yet this will require an appropriation of funds into the proper account codes; and

WHEREAS: Appropriation of funds and Budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4310-434900 State Aid-Mental Health	\$ 2,541.00
To: A4311-540595 Services Rendered(Other)	\$ 2,541.00

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 162-17

*TRANSFER OF FUNDS AND BUDGET
MODIFICATION PUBLIC WORKS*

WHEREAS: Tioga County Public Works has a need to purchase a trash pump and associated equipment in the amount of \$2,500; and

WHEREAS: Transfer of funds and budget modifications require Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: D51 10 540262 County Road Culverts	\$2,500.00
To: D51 10 520130 County Road Equipment (Not Cars)	\$2,500.00

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 163-17 RE-ESTABLISH PRIOR YEAR
CAPITAL PROJECT
INTEROPERABLE GRANT

WHEREAS: Prior year Capital Projects and Capital Equipment Requests need to be re-established for the remaining unspent balance as of year-end 2016 for purchase or completion in 2017; and

WHEREAS: A portion of Interoperable Grant Funds were not re-established or budgeted in the two prior fiscal years and \$374,380.43 of unspent funds are available; and

WHEREAS: The funds for the Interoperable Grant need to be expended by 8/1/2017 and are 100% reimbursable; therefore be it

RESOLVED: That the following accounts and amounts be re-established:

Interoperable Grant	Amt to Establish
A3415 540140 Contracted Services	\$ 21,902.32
A3415 520230 Radio & Equipment	\$ 352,478.11
A3415 433063 State Aid Interoperable Grant	\$ 374,380.43

And be it further

RESOLVED: That any applicable corresponding revenue sources or reserve account funds per prior Resolution shall also be re-established in the 2017 modified budget.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 164-17 ADOPT LOCAL LAW NO. 2 OF 2017

WHEREAS: A public hearing was held on July 6, 2017, following due notice thereof to consider the adoption of Local Law Introductory No. B of the Year 2017 A Local Law amending Local Law 6 of the year 2015 which authorized a 2015 resolution recodifying and reimposing sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, so as to provide that said 2015 resolution may thereafter be amended from time to time including for the purpose of extending said taxes by amending the 2015 resolution's ending date; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 2 of 2017; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 2 of the Year 2017.

A Local Law amending Local Law 6 of the year 2015 which authorized a 2015 resolution recodifying and reimposing sales and compensating use taxes on sales and uses of tangible personal property and on certain services, and on occupancy of hotel rooms and amusement charges, pursuant to the authority of Section 1210 of Article 29 of the Tax Law of the State of New York, so as to provide that said 2015 resolution may thereafter be amended from time to time including for the purpose of extending said taxes by amending the 2015 resolution's ending date.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: That Section 2 of Local Law No. 6 of the year 2015 be amended as follows:

SECTION 2: Notwithstanding the repeal of such Local Law No. 1 of 1968 by this Local Law, all provisions of such Local Law No. 1 of 1968, in respect to

the imposition, exemption, assessment, payment, payment over, determination, collection, and credit or refund of taxes imposed thereunder, the filing of forms and returns, the preservation of records for the purposes of such taxes, the secrecy of returns, the disposition of revenues, and the civil and criminal penalties applicable to the violation of the provisions of such Local Law, shall continue in full force and effect with respect to all such taxes accrued up to December 1, 2015; all actions and proceedings, civil or criminal, commenced or authorized to be commenced under or by virtue of any provision of such Local Law No. 1 so repealed, and pending or able to be commenced immediately prior to the taking effect of such repeal, may be commenced, prosecuted and defended to final effect in the same manner as they might if such provisions were not so repealed; and the provisions of the resolution effective December 1, 2015 as amended from time to time, recodifying and reimposing the taxes imposed by such Local Law No. 1, shall be construed as a continuation of the provisions of Local Law No. 1, modified or amended according to the language employed, and not as an enactment of new taxes, other than the additional one percent rate of such taxes imposed for the period commencing December 1, 2015.

SECTION 2: This enactment shall take effect upon filing with the Secretary of State.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell introduced Local Law Introductory No. C of 2017.

County of Tioga

Local Law No. of the Year 2017.

A Local Law of the Tioga County Legislature of the County of Tioga, repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law §186-g.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: A Local Law imposing a Wireless Communication Surcharge in Tioga County hereinafter known as Local Law No. 6 of the year 2003, is hereby REPEALED.

SECTION 2: Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law §186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Tioga on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County of Tioga, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County of Tioga, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billing of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, providing that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3: Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law §186-g, and in a like manner as the taxes imposed by Articles Twenty-Eight and Twenty-Nine of the Tax Law.

SECTION 4: Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law § 186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5: Net collections received by Tioga County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Tioga County Legislature of the County of Tioga and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving Tioga County, as provided in paragraph (9) of Tax Law § 186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. Tioga County shall separately account for and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6: Effective date. This Local Law shall take effect December 1, 2017.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 165-17 SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. C OF 2017

RESOLVED: That a public hearing shall be held on Local Law Introductory No. C of 2017 A Local Law of the Tioga County Legislature of the County of Tioga repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of the Tax Law § 186-g in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, August 10, 2017 at

1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. –17

RESOLUTION OF THE LEGISLATURE OF TIOGA COUNTY AMENDING RESOLUTION 231-15 RECODIFYING AND REIMPOSING GENERAL SALES AND COMPENSATING USE TAXES IMPOSED AT THE RATE OF THREE PERCENT AND ALSO IMPOSING AN ADDITIONAL ONE PERCENT RATE OF SUCH TAXES FOR A PERIOD OF THREE YEARS, PURSUANT TO THE AUTHORITY OF SECTION 1210 OF ARTICLE 29 OF THE TAX LAW OF THE STATE OF NEW YORK TO EXTEND THE EFFECTIVE DATES OF SUCH TAXES FOR THREE YEARS THROUGH NOVEMBER 30, 2020

BE IT ENACTED by the Legislature of Tioga County, as follows:

SECTION 1: Amendment of Resolution 231-15 for the purpose of extending the term for general sales and compensating use taxes. By Resolution 231-15 and commencing December 1, 2015, the Tioga County Legislature imposed in this county and decreed there shall be paid all of the sales and compensating use taxes described in Article Twenty-nine of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, Resolution 231-15 imposed in this county and decreed there shall be paid such sales and compensating use taxes at the additional rate of one percent. These taxes are hereby extended and continued for an additional period of three years through November 30, 2020 and Resolution 231-15 is hereby amended to

reflect the new ending date of November 30, 2020 and continues to be in effect in all other respects as repeated herein.

SECTION 2: Local options - Application of special provisions. As imposed by Resolution 231-15 as hereby extended, notwithstanding any contrary provision of this enactment or other law:

(a) Motor fuel and diesel motor fuel described in subdivision (m) of section eleven hundred eleven of the Tax Law shall not be taxed at a rate of cents per gallon.

(b) The clothing and footwear exemption described in paragraph thirty of subdivision (a) of section eleven hundred fifteen of the Tax Law shall apply to the taxes imposed by this enactment.

(c) The residential solar energy systems equipment, installation service, and electricity exemptions described in subdivision (ee) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(d) The commercial solar energy systems equipment, installation service, and electricity exemptions described in subdivision (ii) of section eleven hundred fifteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(e) The empire zone refund and credit described in clause six of subdivision (a) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(f) The qualified empire zone enterprise refund and credit described in subdivision (d) of section eleven hundred nineteen of the Tax Law shall not apply to the taxes imposed by this enactment.

(g) Residential energy sources and services described in paragraph three of subdivision (a) of section twelve hundred ten of the Tax Law shall be subject to the taxes imposed by this enactment at the rate of three percent, but exempt from the additional taxes imposed at the rate of one percent.

SECTION 3: Taxes in addition to others. As imposed by Resolution 231-15 as hereby extended, the taxes imposed by this enactment are in addition to any and all other taxes authorized or imposed under any other provision of law.

SECTION 4: Administration of taxes. As imposed by Resolution 231-15 as hereby extended, the taxes imposed by this enactment shall be administered and collected by the State Commissioner of Taxation and Finance as provided in Articles Twenty-eight and Twenty-nine of the Tax Law.

SECTION 5: Applicability of state law to taxes imposed by this enactment. As imposed by Resolution 231-15 as hereby extended, the provisions of Articles Twenty-eight and Twenty-nine of the Tax Law and any provision of the Tax Law or other law that applies to Article Twenty-eight or Twenty-nine, relating or applicable to the taxes imposed by this enactment, including the applicable

definitions, transitional provisions, limitations, special provisions, exemptions, exclusions, refunds, credits, and administrative provisions, so far as those provisions can be made applicable to the taxes imposed by this enactment, shall apply to the taxes imposed by this enactment with the same force and effect as if those provisions had been incorporated in full into this enactment and had expressly referred to the taxes imposed by this enactment, except to the extent that any of those provisions is either inconsistent with or not relevant to the taxes imposed by this enactment.

SECTION 6: Allocation and distribution of net collections. As imposed by Resolution 231-15 as hereby extended, pursuant to section 1262 of the Tax Law:

(a) The county shall set aside for county purposes two-thirds of the net collections from the taxes imposed by this enactment at the rate of three percent.

(b) The county shall set aside for educational purposes none of the net collections from the taxes imposed by this enactment.

(c)(1) The county shall allocate quarterly to the towns in the county one-third of the net collections from the taxes imposed by this enactment at the rate of three percent. Such net collections shall be allocated to the towns in proportion to their respective populations, determined in accordance with the latest decennial federal census or special population census taken pursuant to section twenty of the New York General Municipal Law completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county.

(2) The amount so allocated to the towns shall be applied first to reduce county taxes levied upon real property in the towns. Any balance remaining shall then be applied to reduce general town taxes levied upon real property in the towns.

(3) Any town, by local law, ordinance or resolution, however, may provide that all or any specified part of the amounts which would be so applied to reduce the county taxes and general town taxes levied upon real property in such town shall be paid directly to such town to be used for any town purpose.

(4) If any village, by local law, ordinance or resolution shall so provide, the amounts which would be so applied to reduce the county and general town taxes levied upon real property in such village shall be paid directly to such village in lieu of such tax reduction. Where any village has elected to be paid directly as provided in this subdivision, the amount to be paid to such village shall be determined by the ratio that the full valuation of real property in the village or portion thereof within the town in which such village is located bears to the full valuation of real property in the entire town.

(5) If a village wholly or partially within a town has so elected to be paid directly, but the town in which such village is located has not so elected, the amount allocated to the town in which such village is wholly or partially situated shall be applied to reduce county taxes and general town taxes in the

area of the town outside such village. If the amount allocated to a town exceeds the amount of the county taxes and general town taxes levied upon real property in the town, the excess shall be apportioned between the town and each village, if any, wholly or partially situated therein, in the ratios that the full valuation of real property in each such village or portion thereof within the town, and the full valuation of real property in the portion of the town outside of such village or villages, respectively, bear to the aggregate full valuation of the entire town. The share of each such village shall be paid directly to such village. The share of the town shall be applied, first, to reduce taxes levied for part-town activities, and any balance remaining shall be paid directly to the town, to be used only for part-town activities.

(6) If a town and all the villages therein shall have elected to be paid directly as provided in this subdivision, the share of such town shall be applied to reduce taxes levied for part-town activities, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce general town taxes, county taxes levied in the area of the town outside of such villages or may be used for part-town activities, or any combination thereof.

(7) If a town containing more than one village shall have elected to be paid directly and one or more but not all of the villages shall have also elected to be paid directly, the share of the town shall be applied to reduce general town taxes levied in the area of the town outside of the village or villages that have so elected, and any balance remaining or portion thereof, in the discretion of the town board, may be applied to reduce county taxes levied in the area of the town outside of such village or villages.

(8) The amount to be applied in reduction of county taxes and general town taxes in each town shall be determined on the basis of the respective populations of the several towns in the county, determined in accordance with the latest federal census or special population census taken pursuant to section twenty of the General Municipal Law, completed and published prior to the end of the quarter for which the allocation is made, which special census must include the entire area of the county.

(9) Any local law, ordinance or resolution enacted by a town or village pursuant to this subdivision shall only be effective for the calendar year or years subsequent to its enactment and, further, shall only be effective if it is mailed by registered or certified mail to the chief fiscal officer of the county before the first day of September preceding the calendar year for which the election is made by such local law, ordinance or resolution. Such local law, ordinance or resolution shall remain in effect for subsequent calendar years until rescinded by local law, ordinance or resolution, but the enactment shall rescind the election only if it is mailed, in the same manner already provided for in this subdivision, to the chief fiscal officer of the county before the first day of September preceding the calendar year for which the rescission is to apply.

(10) The foregoing provisions notwithstanding, where the county imposes a sales and use tax to be effective on a date after the adoption of its

budget but within the fiscal year for which such budget has been adopted, and the estimated revenues from such tax include an amount not set aside for county purposes or educational purposes, and such amount has not been included in budget revenues for such fiscal year for allocation in reduction of taxes on real property as provided in this subdivision, a local law, ordinance or resolution enacted by a town or village pursuant to this subdivision shall be effective as of the effective date of such tax if mailed by registered or certified mail to the chief fiscal officer of the county within thirty days after the enactment by the county of the local law, ordinance or resolution imposing such tax.

(d) The county shall set aside for county purposes one hundred percent of the net collections from the taxes imposed by this enactment at the additional rate of one percent.

(e) As used in this enactment the following terms shall mean or include:

(1) Net Collections. The moneys collected from the taxes imposed by this enactment, after deducting therefrom expenses of administration and collection and amounts refunded or to be refunded as described in Tax Law section twelve hundred sixty-one (b).

(2) General town taxes. Taxes levied for any town purpose, including highways, upon the entire area of a town.

(3) Full valuation of real property. The assessed valuation of real property divided by the equalization rate as determined in accordance with Article Eight of the New York Real Property Tax Law.

(4) Part-town activities. Activities of town government, including highway programs, which are chargeable to the area of the town outside of villages, exclusive of special district purposes, unless such special district is a fire protection district coterminous with the area of a town outside of villages.

SECTION 7: Deposit and use of revenues. As imposed by Resolution 231-15 as hereby extended, except as otherwise provided by this enactment or other law, net collections received by the county from the taxes imposed by this enactment shall be paid into the treasury of the county and shall be credited to and deposited in the general fund thereof and, unless restricted by local law, ordinance, or resolution to a specified purpose or purposes, shall be available for any county purpose of the county. Notwithstanding the foregoing, the county shall deposit one-half of the net collections from the additional one percent rate of sales and compensating use taxes imposed by this enactment in a capital reserves fund, and the county shall make disbursements from such capital reserves fund solely for the purposes of capital projects and repaying any debts incurred for such capital projects in the county. Expenditures from the proceeds of any such taxes shall not be considered as part of the cost of government within the meaning of any limitation on expenditures contained in any general, special, or local law applicable to this county.

SECTION 8: Severability. If any provision of this enactment or the application thereof, for any reason, shall be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this enactment, but shall be confined in its operation to the provision thereof directly involved in the controversy in which such judgment shall have been rendered and the application of that provision to other persons or circumstances shall not be affected by that judgment.

SECTION 9: Effective date. This enactment shall take effect December 1, 2017.

Legislator Monell made a motion to withdraw the above resolution, seconded by Legislator Hollenbeck.

ROLL CALL VOTE ON MOTION TO WITHDRAW

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

MOTION TO WITHDRAW ABOVE RESOLUTION CARRIED

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 166-17 APPOINT AN EARLY INTERVENTION OFFICIAL FOR
TIOGA COUNTY
PUBLIC HEALTH DEPARTMENT

WHEREAS: Section 2541 of the Public Health Law defines the position of an Early Intervention Official (EIO); and

WHEREAS: Section 2540 of the Public Health Law describes the duties of the EIO; and

WHEREAS: Tioga County Public Health has identified Heather Morgan, Community Health Program Supervisor, to be appointed EIO, therefore be it

RESOLVED: That Heather Morgan be appointed as the Early Intervention Official for Tioga County effective July 13, 2017.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 167-17 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the year 2015 indicates that parcel #735 in the Town of Barton assessed to Wolcott, William E & Betty M on the 2015 tax roll of the Town of Barton is erroneous in that the veteran disability exemption was not applied; be it therefore

RESOLVED: That a refund be issued to Wolcott, William E & Betty M by the Tioga County Treasurer’s office as follows:

	Original Bill # 1596	Corrected Bill # 1596
County	1528.42	1446.49
Recycle	70.75	66.96
Town Wide	320.52	303.34
Barton Fire	146.40	146.40
Total	2066.09	1963.19

And be it further

RESOLVED: That the erroneous town tax of \$ 17.18 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 3.79 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$ 81.93 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 168-17 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the year 2016 indicates that parcel #735 in the Town of Barton assessed to Wolcott, William E & Betty M on the 2016 tax roll of the Town of Barton is erroneous in that the veteran disability exemption was not applied; be it therefore

RESOLVED: That a refund be issued to Wolcott, William E & Betty M by the Tioga County Treasurer’s office as follows:

	Original Bill #1596	Corrected Bill # 1596
County	1547.12	1464.57
Recycle	71.47	67.65
Town Wide	331.78	314.08
Barton Fire	154.54	154.54
Total	2104.91	2000.84

And be it further

RESOLVED: That the erroneous town tax of \$17.70 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$3.82 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$82.55 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 169-17 *ERRONEOUS ASSESSMENT
TOWN OF BARTON*

WHEREAS: An application for Corrected Tax Roll for the year 2017 indicates that parcel #735 in the Town of Barton assessed to Wolcott, William E & Betty M on the 2017 tax roll of the Town of Barton is erroneous in that the veteran disability exemption was not applied; be it therefore

RESOLVED: That a refund be issued to Wolcott, William E & Betty M by the Tioga County Treasurer’s office as follows:

	Original Bill #1594	Corrected Bill #1594
County	1597.25	1512.03
Recycle	73.78	69.85
Town Wide	340.41	322.25
Barton Fire	157.64	157.64
Total	2169.08	2061.77

And be it further

RESOLVED: That the erroneous town tax of \$18.16 be charged back to the Town of Barton; and be it further

RESOLVED: That the erroneous solid waste tax of \$ 3.93 be charged back to the Solid Waste Fund; and be it further

RESOLVED: That the erroneous county tax of \$ 85.22 be charged to the proper account in the records of the County Treasurer.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 170-17 *AUTHORIZE SALE OF COUNTY
OWNED PROPERTIES ACQUIRED
FOR DELINQUENT TAXES*

WHEREAS: Tioga County is the owner of numerous properties which it has acquired for delinquent taxes, which are surplus to the County needs; and

WHEREAS: It is the intent of the Tioga County Legislature to place the properties back on the tax rolls; be it therefore

RESOLVED: That the following properties be sold at public auction to be held in the Edward D. Hubbard Auditorium in the Tioga County Office Building, 56 Main Street, Owego, New York on August 10, 2017 at 6:00 p.m. conducted by Manasse Auctioneers.

Town of Barton:

166.15-4-51; Michael Spencer
112.00-2-15.13; Thomas N. Peters & Mary K. Peters
134.00-1-20.30; Patricia A. Janhonen & John Sampson
135.00-2-6.20; Richard Fontanez
113.00-1-6.20; Judy A. Foote

Town of Berkshire

23.19-1-10; William & Bonnie Vandenburg
42.00-2-10.112; Lynn Terwilliger & Jesse Playle
23.00-3-4.131; Broome Oil & Gas
43.00-2-22.7; Anatoly Atamansky
43.00-2-22.8; Anatoly Atamansky

43.00-2-22.9; Anatoly Atamansky
43.00-2-22.11; Anatoly Atamansky

Town of Candor:

62.00-1-17.111; Harold R. Vrabel
61.00-1-3.112, Jeffrey Rockwell & Chris Rockwell
61.09-1-5, William McAvoy & Kathleen McAvoy
63.00-1-8.22, Thomas J. Zurzuski Sr

Town of Newark Valley:

42.00-1-37.12; Harold R. Vrabel
64.00-1-22; Ward Wakeman
64.00-1-43; William Foust & Robert Blakeslee
64.19-2-25; Joseph Hutchinson & Dennis Hutchinson
64.19-3-13; Daniel G. Peabody & Roxonne Romano AKA Roxonne Peabody
86.00-1-1; Alta Patterson & Stuart Patterson
86.00-1-2; Alta Patterson & Stuart Patterson
64.00-1-28; Antonia Panepinto

Town of Nichols:

159.00-2-28; Leroy Frisbie
159.00-2-29; Leroy Frisbie

Town of Owego:

118.17-1-1.2; Dwight R. Harris
117.20-2-6; Jacquelyn M. Dimock
128.08-2-19, Phillip M. Petrusky
128.08-2-17; Robert W. Laman II
142.14-1-39; Razvan G. Mitrea
141.00-1-28; Leonard Elliott & Alicia Elliott
120.00-2-9; June A Packer
164.00-2-4.11; Robert W. Laman II
153.07-1-60; Christie L. Caton
175.00-2-46; Stanley Brown & Ella Brown
98.00-1-44; Harold H. Gaylord & Claudia A. Gaylord
164.00-2-22.1; Richard H. Tyler & Lori J. Tyler

Town of Richford:

11.14-1-11; Sarah Lafitte
10.00-1-6; Curtis L. Locke

Town of Tioga

136.00-1-28.30; Richard Fontanez
158.00-2-3.112; Caleb S. Root & Kerry Root

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PUBLIC WORKS COMMITTEE

RESOLUTION NO. 171-17

*APPROVE CHANGE ORDER FOR DAY HOLLOW
PAVING PROJECT*

WHEREAS: The construction of Day Hollow Pavement Rehabilitation project was awarded to Barrett Paving, Inc. on Resolution 149-17; and

WHEREAS: A change order was submitted due to additional work that was unforeseen; therefore be it

RESOLVED: That the Tioga County Legislature authorize additional funds to be appropriated for this change order not to exceed \$55,000 to be paid out of the Day Hollow Pavement Rehabilitation Account H5110.540001.H1701.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 172-17 AWARD CONTRACT FOR
CLEANING SERVICES FOR
COUNTY BUILDINGS

WHEREAS: The Commissioner of Public Works received sealed bids for cleaning services for the County Buildings on Thursday, June 28, 2017 at 11:00 AM and the bids were as follows:

GDI Services
Johnson City, NY

COB, B&G & DPW	HHS & PSB	Clerk's, CH, CHA	ALL BUILDINGS
\$65,376.00	*\$126,048.00	*\$75,672.00	\$267,096.00

GLOBAL INDUSTRIAL SERVICES
Apalachin, NY

COB, B&G & DPW	HHS & PSB	Clerk's, CH, CHA	ALL BUILDINGS
*\$59,471.56	\$137,325.24	\$81,097.58	\$277,894.38

And

WHEREAS: After the Commissioner of Public Works reviewed the bids, he recommends awarding the bid by building grouping; therefore be it

RESOLVED: That the Tioga County Legislature award the bid to Global Industrial Services, Apalachin, NY in the amount of \$59,471.56 for the B&G Bldg, COB, & DPW to be paid out of A1620 540140 for a term of two years commencing upon adoption of this resolution with price adjustment by the increase in prevailing wages at end of first year; and be it further

RESOLVED: That the Tioga County Legislature award the cleaning bid for the HHS building, PSB building, Clerk's, Court House, Court Annex & Court Evidence building to GDI Services in the amount of \$201,720.00 to be paid out of HHS Buildings Account A1621 540140 and all other buildings out of Buildings & Grounds Contracting Services account A1620 540140 for a term of two years commencing upon adoption of this resolution with price adjustment by the increase in prevailing wages at end of first year.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 173–17

*AUTHORIZE CHAIR OF LEGISLATURE TO SIGN
APPLICATION FOR GRANT FUNDS
DEPARTMENT OF SOCIAL SERVICES*

WHEREAS: Tioga County is submitting a request for grant funds to the NYSDOT, pursuant to Section 5311, Title 49 United States Code, for projects to provide public mass transportation service for western Tioga County through an agreement with C-Tran and Mobility Management Services for Tioga, Broome, Chenango, Delaware and Otsego Counties through an agreement with Rural Health Network of South Central New York for the 2017-2019 fiscal years and has committed the local share; and

WHEREAS: Tioga County and the State of New York have entered a continuing agreement which authorizes the undertaking of the project(s) and reimbursement of the Federal and applicable State Shares; and

WHEREAS: Tioga County is contracting with a third-party subcontractor for the project(s) described above; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to act on behalf of Tioga County to sign the application and progress and complete the above-named project(s); and be it further

RESOLVED: That the Chair of the Legislature is authorized to sign any contracts or agreements between Tioga County and any third-party subcontractor necessary to complete the public transportation project(s), subject to the approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 174-17 *AUTHORIZE THE SUBMISSION OF
HOMELAND SECURITY GRANT
APPLICATION
(SHSP 17 and SLETPP 17)
EMERGENCY MANAGEMENT
SHERIFF'S OFFICE*

WHEREAS: The Office of Homeland Security has issued a grant of \$69,980 to Tioga County. The grant will be used for the development of the Continuity of Operations Plan. Once the grant is awarded, 75% (\$52,485) will be appropriated to Emergency Management (SHSP17); and 25% of the monies (\$17,495) will be appropriated to the Sheriff's Office (SLETPP17) for radios for the SWAT team; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application. However, due to the short notification period, the Tioga County Emergency Management Office had to submit an application for this funding by June 16, 2017; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be given authorization to apply for this grant, after the fact, to be in compliant with county policy.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 175-17

*AUTHORIZE THE SUBMISSION OF 2017-2018
HAZARDOUS MATERIALS EMERGENCY
PREPAREDNESS GRANT APPLICATION
(HMEP)
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security has issued a grant of \$6,206 to Tioga County. The grant will be used to update the County's Hazardous Materials Response Plan. Once the grant is awarded, 20% (\$1,034) will be County funded monies; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application. However, due to the short notification period, the Tioga County Emergency Management Office had to submit an application for this funding by June 21, 2017; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be given authorization to apply for this grant, after the fact, to be in compliant with county policy.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 176-17 *TIOGA COUNTY SUPPORT FOR THE VILLAGE OF WAVERLY NYS PARKS EPF CFA GRANT FOR WAVERLY GLEN PARK PHASE 1 IMPLEMENTATION*

WHEREAS: The Tioga County Legislature adopted the Tioga County 2020 Strategic Plan, per resolution 140-16; and

WHEREAS: The Tioga County 2020 Strategic Plan lists as an Overall Priority Goal to "Maintain and strengthen Tioga County's position as a tourism destination", and an Objective under that to "Increase visitors" length of stay and spending by assisting with projects that develop and enhance new and existing tourism assets...as well as increasing recreational, cultural, and entertainment opportunities"; and

WHEREAS: The Waverly Glen Park improvement project is a project that implements the goal and objective listed above, particularly the planned trails connection to Two Rivers State Park which could aid in attracting more visitors to Tioga County, and therefore could increase sales tax in the local Waverly area and County; therefore be it

RESOLVED: That the Tioga County Legislature hereby fully supports the Village of Waverly's NYS Park EPF CFA grant application for Phase 1 improvements to Waverly Glen Park.

ROLL CALL VOTE

Yes – Legislators Standing, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – Legislator Sullivan.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE

RESOLUTION NO. 177-17 *AUTHORIZE APPLICATION FOR NEW YORK
STATE COMMUNITY DEVELOPMENT BLOCK
GRANT
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Tioga County Public Health has identified current mobile dental trailer as aging and in need of replacement; and

WHEREAS: Tioga County children and adults utilize and benefit from the current mobile dental services program with an increase of access to preventive and restorative dental care; and

WHEREAS: Replacement mobile dental vehicle will be designed for better mobility therefore allowing for even greater accessibility for Tioga County residents; and

WHEREAS: Proposed replacement mobile dental vehicle at the estimated cost of \$475,000 will be funded through other various grant opportunities including Appalachian Regional Commission (\$150,000) and Floyd Hooker Foundation (\$25,000), as well as this block grant; and

WHEREAS: This grant source requires no local match and allows a maximum request of \$300,000 in funding per application; and

WHEREAS: Per Resolution 144-17 a Public Hearing was held June 22, 2017 and no comments were received; therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes submission and administration of said grant to New York State Office of Community Renewal in the amount not to exceed \$300,000.

RESOLVED: That the Community Services Worker position shall be filled according to County Policy regarding new hires; and be it further

RESOLVED: That the full-time headcount for the Department of Social Services shall be reduced by one (1).

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 180-17 STANDARD WORK DAY AND
REPORTING RESOLUTION

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Elected Officials					
District Attorney	Kirk Martin	7	1/1/14-	N	33.62

			12/31/17		
County Treasurer	James McFadden	7	1/1/14-12/31/17	N	23.31
Appointed Officials					
2 nd Assistant District Attorney	Cheryl Mancini	7	1/1/14-12/31/17	N	21.49
2 nd Assistant Public Defender	Mark J. Loughran	6	3/1/12-12/31/15	N	13.82

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the 11th day of July, 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this 11th day of July, 2017.

Tioga County Legislative Clerk

Affidavit of Posting: I, Maureen L. Dougherty, being duly sworn, depose and say that the posting of the resolution began on July 11, 2017 and continued for at least 30 days. That the resolution was available to the public on the

- Employer’s website at www.tiogacountyny.com
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk’s Office at _____

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 181-17 *CREATE AND FILL TEMPORARY
PART-TIME ASSISTANT FIRE COORDINATOR
POSITION
(BUREAU OF FIRE)*

WHEREAS: Assistant Fire Coordinator, Robert Byrnes has resigned as Assistant Fire Coordinator, on July 4, 2017; and

WHEREAS: The incumbent had previously overseen EMS services throughout Tioga County, which included the EMS training facility and courses as well as attend local, regional and state meetings; and

WHEREAS: Bureau of Fire will begin the hiring process for a new Assistant Fire Coordinator; however, the County Fire Coordinator has requested a temporary position be created in order to continue EMS training services and to provide training for the new hire; therefore be it

RESOLVED: That one temporary, part-time position of Assistant Fire Coordinator is hereby created effective July 12, 2017 until December 31, 2017 to work no more than a total of 34 hours per pay period at an hourly rate of \$25/hour.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Sullivan made a motion to have the following late-filed resolutions considered, seconded by Legislator Mullen and carried.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 182-17 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE TOWN OF RICHFORD TO THE RICHFORD FIRE DEPARTMENT*

WHEREAS: Property located in the Town of Richford transferred to Tioga County, identified as Tax Map number 11.18-1-4, parcel number 119 owes 2015, 2016 and 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Richford Fire Department, who has made an offer to purchase back the property for \$7,000 “as is”; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$7,000 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Richford, identified on the Town of Richford Tax Map as number 11.18-1-4 parcel number 119, to Richford Fire Department or assigns.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO 183-17 *AUTHORIZE APPOINTMENT OF VOTING MACHINE TECHNICIAN BOARD OF ELECTIONS*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: A part-time Republican Voting Machine Technician position became vacant on May 30, 2017; and

WHEREAS: The Republican Commissioner of the Board of Elections received authorization to backfill said vacancy; therefore be it

RESOLVED: That Bruce Layman is appointed to the title of Voting Machine Technician effective July 12, 2017 at the established non-union rate of \$16.52 per hour.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 184-17

RESOLUTION OF THE LEGISLATURE OF TIOGA COUNTY AMENDING RESOLUTION 231-15 TO EXTEND IMPOSITION OF AN ADDITIONAL ONE PERCENT RATE OF SALES AND COMPENSATING USE TAX FOR A PERIOD OF THREE YEARS THROUGH NOVEMBER 30, 2020

WHEREAS: By Resolution 231-15, the Tioga County Legislature imposed in this county and decreed there shall be paid all of the sales and compensating use taxes described in Article Twenty-nine of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, Resolution 231-15 imposed in this county and decreed there shall be paid such sales and compensating use taxes at the additional rate of one percent through November 30, 2017; and

WHEREAS: The Tioga County Legislature wishes to amend Resolution 231-15 to extend the additional one percent of sales and compensating use taxes for a period of three years through November 30, 2020; now therefore be it

RESOLVED: By the Legislature of Tioga County, that Section One of Resolution 231-15 shall be amended to read as follows:

"SECTION 1: Imposition of general sales and compensating use taxes. There are hereby imposed in this county and there shall be paid all of the sales and compensating use taxes described in Article Twenty-nine of the New York Tax Law as authorized by subdivision (a) of section twelve hundred ten of the Tax Law, at the rate of three percent. In addition to those taxes imposed at the rate of three percent, there are hereby imposed in this county and there shall be paid such sales and compensating use taxes at the additional rate of one percent for the period commencing December 1, 2015, and ending November 30, 2020"; and be it further

RESOLVED: That this enactment shall take effect December 1, 2017.

ROLL CALL VOTE

Yes – Legislators Standinger, Sullivan, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Roberts.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:27 P.M.

*Public Hearing
Local Law Introductory No. C of 2017
August 10, 2017*

The Public Hearing on Local Law Introductory No. C of 2017 A Local Law of the Tioga County Legislature of the County of Tioga, repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law §186-g was called to order by the Chair at 1:00 P.M. Six Legislative members were present, Legislators Monell, Roberts and Weston being absent.

There was one person in attendance.

The Clerk read the legal notice as published in the official newspapers.

There being no comments, the hearing was adjourned at 1:01 P.M.

Eighth Regular Meeting
August 15, 2017

The Eighth Regular Meeting of 2017 was held on August 15, 2017 and was called to order by the Chair at 12:00 P.M. Eight Legislative members were present, Legislator Roberts being absent.

Chair Sauerbrey asked Legislator Sullivan to have a moment of prayer. "Dear Lord, please continue to watch over us as we strive to serve the people of Tioga County. We ask that you guide us and grant us the blessings of wisdom, courage, and understanding so that our actions meet the needs of those we serve. In your son's name hear our prayer."

Legislator Sullivan led all Legislators and those in attendance in the Pledge of Allegiance.

There were 5 people in attendance.

Legislator Standinger read and presented the following Proclamation on Immunization Awareness Month to Margaret Shuler of the Public Health Department.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: August is National Immunization Awareness Month with immunizations representing one of the greatest public health accomplishments of the 20th century; and

WHEREAS: Vaccines give parents the safe, proven power to protect their children from serious diseases by following the recommended immunization schedule – giving their child the vaccines they need, when they need them; and

WHEREAS: Child care facilities, preschool programs, schools and colleges are prone to outbreaks of infectious diseases due to poor hand washing, not covering coughs, and other factors such as interacting in crowded environments; and

WHEREAS: When a child comes down with a disease such as whooping cough or the flu, they may miss several days of school while recovering and a parent may have to miss work or other important obligations; and

WHEREAS: Vaccines are an important part of a healthy pregnancy and allows the mother to pass some protection on to her baby. Women should be up to date on their vaccinations before becoming pregnant and should receive vaccines against both flu and whooping cough during pregnancy; and

WHEREAS: All adults should get vaccines to protect their health. Even healthy adults can become seriously ill and pass diseases on to others. Everyone should have their vaccination needs assessed at their primary care provider's office; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of August 2017 as:

IMMUNIZATION AWARENESS MONTH

and urges the citizens of our County to educate themselves on the recommended vaccines for themselves and their children to prevent the spread of preventable diseases.

Legislator Standinger spoke. "I will add that I received many vaccinations as I am sure everybody else in the room has and we are still kicking, so that is a good thing for us. I think that the wisdom here is that an ounce of prevention is worth a pound of cure."

Lisa McCafferty, Public Health Director spoke. "I will just add to that by saying "be wise, immunize". Thank you very much."

There was no privilege of the floor.

Legislator Sullivan made a motion to approve the minutes of July 6 and 11, 2017, seconded by Legislator Hollenbeck, and carried with Legislators Roberts being absent.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 185-17

RESOLUTION URGING GOVERNOR CUOMO AND THE NEW YORK STATE LEGISLATURE TO ADVANCE FUNDING AND EXPEDITE COMPLETION OF THE "DANIEL PATRICK MOYNIHAN" INTERSTATE 86 PROJECTS IN BROOME, DELAWARE, SULLIVAN, TIOGA AND ORANGE COUNTIES

WHEREAS: Former Governor Pataki committed to a ten-to-twelve year construction program to complete the Route 17 conversion to Interstate 86 ("I-86") beginning with the first designation (177 miles Chemung County West to Pennsylvania) on December 3, 1999; and

WHEREAS: The designation of New York State Route 17 to I-86 provides a superhighway with connection to every Interstate Highway located within New York State and Interstate Highways leading into Pennsylvania; and

WHEREAS: The upgrade and designation of Route 17 as I'86 will make the region more competitive and able to attract substantial growth in business, industry, and tourism as well as improve the safety of the traveling public; and

WHEREAS: The New York I-86 Economic Development Benefit Study, issued in January 2000, which was widely accepted and quoted at all levels of government, called for an aggressive eight-year construction period that would result in a 3.2-billion-dollar direct economic benefit to communities along the I-86 Highway Corridor once the conversion has been completed; and

WHEREAS: With proper funding and resources (Fast Track/Design Build) for the remaining projects in Broome, Delaware, Tioga, Sullivan and Orange Counties, the conversion of Route 17 to I-86 could be completed many years sooner than on the present schedule providing vast economic benefits to the Hudson Valley, Southern Tier, and Western New York regions and would yield significant economic benefits for the nation by facilitating national freight flows, reducing travel times, improving safety, enhancing access to markets, creating new jobs, and greater value-added activity; and

WHEREAS: Due to the lack of funding the current Administration has been unable to commit to a timetable for completing the conversion of Route 17 to Interstate I-86; and

WHEREAS: Additional funding for state infrastructure projects, specifically the modernization of roads and bridges, may be forthcoming from the Federal Government; and

WHEREAS: The primary economic development agencies in Orange and Sullivan Counties have formed a Coalition to promote the widening of Route 17 to six lanes over the 47 miles between Harriman and Monticello; and

WHEREAS: The Tioga County Legislature has recommended authorization of this Resolution; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby request Governor Andrew Cuomo and the New York State Legislature advance funding (Fast Track/Design Build) expediting completion of the projects in Broome, Delaware, Tioga, Sullivan and Orange Counties on New York State Route 17 so that the same may be converted to I-86; and be it further

RESOLVED: That the Clerk of the Legislature is hereby authorized and directed to forward certified copies of this resolution to Governor Andrew Cuomo, Honorable Christopher Friend, Honorable Fred Akshar, Inter-County Association of Western New York, New York State Association of Counties, and the I-86 Corridor Counties (Cattaraugus, Chautauqua, Chemung, Allegany, Steuben, Broome, Delaware, Sullivan, Orange.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standing.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING
COMMITTEE

RESOLUTION NO. 186--17 *SEQRA CONSIDERATION FOR NEW YORK STATE
OFFICE OF PARKS, RECREATION AND HISTORIC
PRESERVATION 2017-2018 SNOWMOBILE TRAILS
GRANT-IN-AID PROGRAM, PHASE II APPLICATION*

WHEREAS: All new or modified snowmobile trails must have a SEQRA Determination approved; and

WHEREAS: The trail changes for upgrades/reroutes to both segments of S57, for the Tioga Ridge Runners, as presented to NYSOPRHP are an Unlisted Action requiring Tioga County to consider the environmental significance of these changes; and

WHEREAS: A Short Form Environmental Assessment Form has been prepared for review by the Tioga County Legislature; now therefore be it

RESOLVED: That the Tioga County Legislature does hereby declare itself to be the Lead Agency and that it will undertake an uncoordinated review of the project; and be it further

RESOLVED: That the Tioga County Legislature has reviewed the Short Form Environmental Assessment Form, including the impact assessment, and has determined, based on the information and analysis set forth therein that the proposed action WILL NOT result in any significant adverse environmental impacts; and be it further

RESOLVED: That the Tioga County Legislature authorizes and directs the Chair to execute the Impact Assessment and the Determination of Significance of the Short Form Environmental Assessment Form and a Notice of Determination of Non-Significance (a Negative Declaration) in a manner consistent with this determination.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standingger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 187-17 *AUTHORIZE EXTENSION OF CURBSIDE RECYCLING CONTRACT*

WHEREAS: Taylor Garbage was awarded Tioga County's curbside recycling contract for a three year period commencing January 1, 2012, and then were authorized an extension of said contract with bid amount adjustment by the compounded increase in the Consumer Price Index (CPI) from the previous three (3) years. Bid specifications include two optional three (3) year extensions with the price at the bid amount adjusted by the compounded increase in the Consumer Price Index (CPI) from the previous three (3) years; and

WHEREAS: Taylor Garbage is interested in extending the contract for second extension of three (3) years at the adjusted rate according to the CPI; and

WHEREAS: The current compounded CPI will be calculated from January 1, 2015 through December 31, 2017; however, the December 31, 2017 CPI will not be released until early 2018. The 2015 CPI was 2.9%; the 2016 CPI was 3.1%; and the first half 2017 semiannual CPI was 2.0%; therefore be it

RESOLVED: That the Tioga County Legislature extend the curbside recycling contract with Taylor Garbage for a three (3) year period at the bid amount adjusted by the compounded increase in the Consumer Price Index (CPI) from the said dates and commencing January 1, 2018.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL

RESOLUTION NO. 189-17 *AUTHORIZE PURCHASE/CONTRACT FOR
MOBILE CONTENT MANAGEMENT
SOLUTION FOR CHILD WELFARE SERVICES
SOFTWARE WITH NORTHWOODS*

WHEREAS: Tioga County Department of Social Services (DSS) has an identified need to obtain a software system for Mobile Content Management for Child Welfare Services; and

WHEREAS: DSS has developed, released and received responses to a Request for Proposal (RFP) for the Mobile Content Management for Child Welfare Services; and

WHEREAS: An RFP review committee determined the response from Northwoods in the amount of \$448,239 to be the winning bid; and be it further

RESOLVED: That the Tioga County Legislature awards and authorizes a contract for Mobile Content Management for Child Welfare Services to Northwoods in the amount of \$448,239.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 190-17 AWARD BID FOR PENNSYLVANIA AVENUE PAVEMENT REHABILITATION

WHEREAS: The Commissioner of Public Works appropriated funds in the 2017 budget for this project; and

WHEREAS: On July 24, 2017 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$748,442.00
Barrett Paving, Inc., Vestal NY	\$772,662.00
Dalrymple Gravel and Contracting, Pine City NY	\$842,860.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$748,442.00 to be paid out of Pennsylvania Avenue Paving Account H5110.540001.H1708.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standing.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 191-17 AWARD BID FOR SABIN ROAD PAVEMENT REHABILITATION

WHEREAS: The Commissioner of Public Works appropriated funds in the 2017 budget for this project; and

WHEREAS: On July 12, 2017 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$344,424.00
Bothar Construction, Binghamton NY	\$444,740.00
Barrett Paving, Inc., Vestal NY	\$440,588.00
Spencer Paving, Spencer NY	\$380,942.00
Dalrymple Gravel and Contracting, Pine City NY	\$398,800.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$344,424.00 to be paid out of Sabin Road Paving Account H51 10.540001.H1702.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standingier.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 192-17 AWARD BID FOR WEST RIVER DRIVE
PAVEMENT REHABILITATION

WHEREAS: The Commissioner of Public Works appropriated funds in the 2017 budget for this project; and

WHEREAS: On August 2, 2017 the Department of Public Works received sealed bids from the following contractors:

Broome Bituminous Products, Vestal NY	\$534,624.00
Bothar Construction, Binghamton NY	\$581,980.00
Dalrymple Gravel and Contracting, Pine City NY	\$602,680.00

Therefore be it

RESOLVED: That the Tioga County Legislature award the bid to the low bidder, Broome Bituminous Products, Vestal NY not to exceed \$534,624.00 to be paid out of West River Drive Paving Account H5110.540001.H1703.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standingger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 193-17 *AUTHORIZE TO HOLD JOINT
AUCTION WITH BROOME COUNTY*

WHEREAS: Broome County has offered Tioga County the ability to rejoin them with a joint auction for surplus property; and

WHEREAS: Broome County has contracted Mel Manasse & Son Auctioneers for Saturday, September 23, 2017; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the auction for surplus properties to be held in conjunction with Broome County on Saturday, September 23, 2017; and be it further

RESOLVED: That Tioga County's auction for surplus properties will be held at Broome County Highway Dept., 47 Thomas St., Chenango Bridge, NY 13745 and 0% Commission of the proceeds will be charged to the seller.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
	FINANCE COMMITTEE
RESOLUTION NO. 194-17	<i>FUND SHERIFF'S GRANT –NYS POLICE TRAFFIC SERVICES GRANT</i>

WHEREAS: The Sheriff's Office has been awarded a NYS Police Traffic Services Grant (PTS-2017-Tioga Co SO-00117-(054) in the amount of \$13,800; and

WHEREAS: This funding now needs to be appropriated; therefore be it

RESOLVED: That the NYS Police Traffic Services Grant be appropriated as follows:

State Aid Revenue Account: A3110 433900	\$13,800
Expense Account: A3110 510030 Overtime/Other	\$13,800

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 195-17 *FUND SHERIFF'S GRANT – NYS*
WM 2015 SLETPP GRANT FUND

WHEREAS: The Sheriff's Office was awarded a WM 2015 SLETPP Grant (DHSES #WM 15973952) in the amount of \$17,500; and

WHEREAS: The funding period is from 9/1/2015 to 8/31/2018 and now needs to be appropriated; therefore be it

RESOLVED: That the WM 2015 SLETPP (DHSES #WM15973952) be appropriated as follows:

From: State Aid-Sheriff 15 SLETPP (WM15973952) A3110 433470 \$17,500

To: Sheriff (WM15973952) Grant-
Equipment (Not Car) A3110 520130 \$17,500

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 196-17 *FUND SHERIFF'S GRANT – NYS*
WM 2016 SLETPP GRANT FUND

WHEREAS: The Sheriff's Office was awarded a WM 2016 SLETPP Grant (DHSES #WM 15973962) in the amount of \$17,500; and

WHEREAS: The funding period is from 9/1/2016 to 8/31/2019 and now needs to be appropriated; therefore be it

RESOLVED: That the WM 2016 SLETPP (DHSES #WM15973962) be appropriated as follows:

From: State Aid-Sheriff 16 SLETPP (WM15973962) A3110 433480 \$17,500

To: Sheriff (WM15973962) Grant- Equipment (Not Car)	A3110 520130	\$17,500
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ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standing.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 197-17 *APPROPRIATION OF FUNDS*
PUBLIC HEALTH

WHEREAS: Tioga County Public Health has been awarded additional funding from the New York State Department of Health; and

WHEREAS: The funding is designated for the purchase of approved program related deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4011 434010 State Aid	\$ 15,070
To: A4011 540640 Supplies	\$ 15,070

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 198-17 AUTHORIZATION TO APPLY FOR GRANT
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has been invited to submit a grant application to the Appalachian Regional Commission; and

WHEREAS: TCPH has developed a plan to transform the provision of Dental services to the uninsured and under-served Tioga County citizens; and

WHEREAS: Current Dental Program, Tioga Mobile Dental Services is instrumental in addressing the unmet oral health needs of children and adults in Tioga County; and

WHEREAS: The amount of the grant funding is not yet determined; and

WHEREAS: This grant does not require matching funds; and

WHEREAS: If awarded the grant, TCPH will submit a resolution to appropriate the funds at that time; and

WHEREAS: County Policy 47 requires Legislative approval for grant applications that require the signature of the Chief Elected Official; and

WHEREAS: The Tioga County Legislature supports TCPH in pursuing funding to provide needed services to Tioga County residents; therefore be it

RESOLVED: That Tioga County Public Health is authorized to submit a grant application to the Appalachian Regional Commission.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standing.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 199-17 *ADOPT BYLAWS
LOCAL EMERGENCY
PLANNING COMMITTEE (LEPC)
EMERGENCY MANAGEMENT*

WHEREAS: The Emergency Management Office has updated their Local Emergency Management Plan (LEPC); and

WHEREAS: Legislative approval is required for any changes made to the bylaws; therefore be it

RESOLVED: That the Local Emergency Planning Committee (LEPC) bylaws are hereby updated and adopted as follows:

Tioga County Emergency Management Office
Local Emergency Planning Committee
Bylaws
June 2017

I. Name of the Committee

The name of the committee shall be the ***Tioga County Local Emergency Management Planning Committee***, hereafter known as LEPC.

II. Powers and Duties

The LEPC has been established pursuant to section 301 (c) of the Public Law 99-499, ***The Emergency Planning and Community Right to Know Act of 1986, (100 Stat 1738-58, October 17, 1986)***. The LEPC shall have all the powers and duties conferred upon it by said Law, and as it may from time to time be amended. The principal duty of the LEPC shall be to develop an emergency response plan for the County of Tioga and its included municipalities, and to review such plans annually. This plan shall contain at a minimum, all the elements set forth in PL 99-499 for such plans.

III. Membership

The members of the LEPC shall be recommended by the LEPC Nominating Committee, approved by majority vote of the LEPC membership and appointed by the New York State Emergency Response Commission (SERC) pursuant to PL 99-499. The membership shall include the following:

- A. Elected Local Official (or designee): Tioga County Chair of the Legislature
- B. Elected State Official (or designee): a member of the New York State Legislature representing a district lying wholly or partially within Tioga County.
- C. Civil Defense representative: The Tioga County Deputy Director of Emergency Preparedness of the Tioga County Emergency Management Office.
- D. Community Emergency Coordinator: The Tioga County Director of Emergency Management
- E. Law Enforcement representative: The Tioga County Sheriff (or designee)
- F. Firefighting/HAZMAT representative: The Tioga County Fire Coordinator (or designee)
- G. A representative of the New York State Police

- H. First Aid representative: The Tioga County EMS Coordinator (or designee)
- I. Health representative: A representative of the Tioga County Health Department.
- J. A representative of the Tioga County Soil and Water Office.
- K. A Transportation Safety Representative
- L. A media representative
- M. A community representative
- N. Facility Owners representatives

IV. Alternative Members

- A. Each member may nominate an alternate to assume his or her duties and position on the LEPC in his or her absence. The alternative may vote only in the absence of the member.
- B. Nominations for representatives and alternate members can be made in writing or by verbal motion from the floor to the LEPC Chair and approved by the majority of the votes cast.

V. Officers

- A. The LEPC shall at its first meeting elect by a majority vote a Chairperson and Vice-Chairperson. Said Officers shall serve a term of one year. Elections for these two officer ships shall thereafter be held annually.
- B. The power and duties of the Chairperson shall be to preside at meetings of the LEPC, appoint such standing and special subcommittees as shall be needed to conduct the business of the LEPC, serve as the non-exclusive spokesperson for the LEPC, and such other powers and duties as are customary for the presiding Officer of similar committees and boards.
- C. The powers and duties of the Vice-Chairperson shall be to preside over meetings of the LEPC and carry out such duties as may be directed by the Chairperson.

VI. Conduct of Meetings

- A. The LEPC shall meet as often as is necessary to conduct its business, and in no event less often than once annually.

- B. The LEPC shall conduct no business in the absence of a quorum of its members, a quorum being a majority of the membership as set forth in Article III of these Bylaws. In the event that a quorum is not present, informational sessions may be conducted.
- C. The LEPC shall conduct its business by means of resolutions duly adopted by a majority of the membership. No motion, resolution, or other parliamentary instrument shall prevail unless it receives a majority of the votes cast.
- D. The LEPC shall be deemed to be a PUBLIC BODY of the County of Tioga within the meaning of the New York State Open Meetings and Freedom of Information statutes, except as those statutes may be superseded by applicable Federal Law.
- E. Except as otherwise provided in these Bylaws, the LEPC shall conduct its business in accordance with Robert's Rules of Order.

VII. Public Participation and Access to Information

- A. The public is encouraged to participate in the work of the LEPC by attendance at meetings and, when in order, by addressing the LEPC.
- B. The public shall be notified of meetings of the LEPC in accordance with applicable provisions of the New York Open Meetings Law, specifically by advance notice given to the local public media by the Tioga County Emergency Management Office.
- C. At least once annually, the LEPC shall advertise and conduct at least one meeting in which members of the public shall be invited to address the LEPC on matters which they believe should be considered in the emergency response plan.
- D. At least thirty days before the adoption of the emergency response plan or any revision to that plan, the LEPC shall publish a summary of the provisions of the proposed plan or any revision to that plan, and shall hold at least one hearing to receive comments from the public thereon. Minutes of the public comments shall be made, and the LEPC shall take due note of the public comments in its deliberations prior to the adoption of the emergency response plan or its revision. The LEPC shall further adopt by resolution a response to the public comments, including action taken by the LEPC with respect to the comments, prior to adoption of the emergency plan or any revision.

- E. Copies of the emergency response plan with adopted amendments and revisions shall be distributed (may be accomplished through the Tioga County website) to:
1. Cognizant State and Federal authorities;
 2. Each municipality within Tioga County
 3. All police, fire and EMS agencies with in Tioga County;
 4. All 'covered facilities' within Tioga County (within the meaning of PL 99-499)
 5. All public libraries within Tioga County
 6. Local media
 7. The Tioga County Legislature; and members of the LEPC

VIII. Public Access to Information

- A. The Tioga County Office of Emergency Management is hereby designated as the secretariat of the LEPC.
- B. The Deputy Director of Emergency Preparedness of the Tioga County Emergency Management Office is hereby designated as the Coordinator of Information pursuant to Section 301 (c) of PL 99-499.
- C. The emergency response plan, material safety data sheets (MSDS), lists described in Section 311 (a) (2) of PL 99-499, inventory forms, toxic chemical release forms, and follow up emergency notices shall be made available to the general public, consistent with the trade secret exceptions in Section 322 of PL 99-499, upon request to the Tioga County Emergency Management Office. On request by an owner or operator of a facility subject to the requirements of Section 312 (d) (2) of PL 99-499, the LEPC shall withhold from disclosures under this Section the location of any specific chemical required by Section 312 (d) (2) of PL 99-499 to be contained in an inventory form as Tier II information.
- D. The LEPC shall annually publish a notice in the local newspapers that the emergency response plan, material safety data sheets (MSDS), and inventory forms have been submitted under this Article. Such notice shall announce that members of the public who wish to review any such plan, sheet, form or follow up notice may do so at the Tioga County Emergency Management Office.
- E. Subject to the approval of the LEPC, the Coordinator of Information shall develop and promulgate procedures for processing requests from the

public for information under Section C of the Article. Such procedures shall parallel as closely as possible the existing Tioga County procedures under the New York State Freedom of Information Act, provided they are consistent with the requirements of PL 99-499 and these Bylaws.

- F. As recommended by the New York State Emergency Response Commission (SERC), and in addition to hardcopy (paper) Tier II submissions, the Tioga County LEPC will accept the same electronic Tier II submission per the NYS E-Plan Implementation Guide, October 2007, p.2, to satisfy reporting notification to the LEPC, which the SERC accepts to satisfy reporting notification to the State. As further recommended by the SERC in the NYS E-Plan Implementation Guide, October 2007, p.3, the Tioga County LEPC designates the individuals occupying the following positions as "Authorizing Authority", and "Authored User", for so long as those individuals occupy those positions:
1. Authorizing Authority – Tioga County Deputy Director of Emergency Preparedness
 2. Authorized Users:
 - a. LEPC Chair
 - b. Tioga County Director of Emergency Management
 - c. Tioga County Fire Coordinator
 - d. Deputy County Fire Coordinator/s

IX. Subcommittees

The Chairperson shall appoint such standing and special subcommittees as the LEPC shall deem necessary to conduct its business.

X. Legal Counsel

The Tioga County Attorney or his/her designee shall serve as legal counsel to the LEPC.

XI. Amendments to the Bylaws of the LEPC

These Bylaws may be amended at any time by an affirmative vote of two-thirds of the membership present at a business meeting, as defined in Article VI, Section B.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 200-17 ADOPT LOCAL LAW NO. 3 OF 2017

WHEREAS: A public hearing was held on August 10, 2017, following due notice thereof to consider the adoption of Local Law Introductory No. C of the Year 2017 A Local Law of the Tioga County Legislature of the County of Tioga, repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law §186-g; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 3 of 2017; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 3 of the Year 2017.

A Local Law of the Tioga County Legislature of the County of Tioga, repealing the wireless communications surcharge authorized by Article Six of the County Law of the State of New York; and imposing the wireless communications surcharges pursuant to the authority of Tax Law §186-g.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: A Local Law imposing a Wireless Communication Surcharge in Tioga County hereinafter known as Local Law No. 6 of the year 2003, is hereby REPEALED.

SECTION 2: Imposition of wireless communications surcharges. (a) Pursuant to the authority of Tax Law §186-g, there are hereby imposed and there shall be paid surcharges within the territorial limits of the County of Tioga on: (i) wireless communications service provided to a wireless communications customer with a place of primary use within such County of Tioga, at the rate of thirty cents per month on each wireless communications device in service during any part of the month; and (ii) the retail sale of prepaid wireless communications service sold within such County of Tioga, at the rate of thirty cents per retail sale, whether or not any tangible personal property is sold therewith.

(b) Wireless communications service suppliers shall begin to add such surcharge to the billing of its customers and prepaid wireless communications sellers shall begin to collect such surcharge from its customers commencing December 1, 2017.

(c) Each wireless communications service supplier and prepaid wireless communications seller is entitled to retain, as an administrative fee, an amount equal to three percent of its collections of the surcharges imposed by this Local Law, providing that the supplier or seller files any required return and remits the surcharges due to the New York State Commissioner of Taxation and Finance on or before its due date.

SECTION 3: Administration of surcharges. The surcharges imposed by this Local Law shall be administered and collected by the New York State Commissioner of Taxation and Finance as provided in paragraph (8) of Tax Law §186-g, and in a like manner as the taxes imposed by Articles Twenty-Eight and Twenty-Nine of the Tax Law.

SECTION 4: Applicability of State law to surcharges imposed by this Local Law. All the provisions of Tax Law §186-g shall apply to the surcharges imposed by this Local Law with the same force and effect as if those provisions had been set forth in full in this Local Law, except to the extent that any of those provisions is either inconsistent with or not relevant to the surcharges imposed by this Local Law.

SECTION 5: Net collections received by Tioga County from the surcharges imposed by this Local Law shall be expended only upon authorization of the Tioga County Legislature of the County of Tioga and only for payment of system costs, eligible wireless 911 service costs, or other costs associated with the administration, design, installation, construction, operation, or maintenance of public safety communications networks or a system to provide enhanced wireless 911 service serving Tioga County, as provided in paragraph (9) of Tax Law §186-g, including, but not limited to, hardware, software, consultants, financing and other acquisition costs. Tioga County shall separately account for

and keep adequate books and records of the amount and object or purpose of all expenditures of all such monies. If, at the end of any fiscal year, the total amount of all such monies exceeds the amount necessary for payment of the above mentioned costs in such fiscal year, such excess shall be reserved and carried over for the payment of those costs in the following fiscal year.

SECTION 6: Effective date. This Local Law shall take effect December 1, 2017.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 201-17

*AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
OWEGO TO HAROLD H. GAYLORD &
CLAUDIA A. GAYLORD*

WHEREAS: Property located in the Town of Owego transferred to Tioga County, identified as Tax Map number 98.00-1-44, parcel number 12911 owes 2015, 2016 and 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Harold H. Gaylord & Claudia A. Gaylord, who has made an offer to purchase back their property for \$7,000.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$7,000.00 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Owego, identified on the Town of Owego Tax Map as number 98.00-1-44 parcel number 12911 to Harold H. Gaylord & Claudia A. Gaylord or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standing.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 202-17

*AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
BARTON TO JUDY A. FOOTE*

WHEREAS: Property located in the Town of Barton transferred to Tioga County, identified as Tax Map number 113.00-1-6.20, parcel number 12081 owes 2015 and 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Judy A. Foote, who has made an offer to purchase back her property for \$2,500.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$2,500.00 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Barton, identified on the Town of Barton Tax Map as number 113.00-1-6.20 parcel number 12081 to Judy A. Foote or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 203-17

*AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
BARTON TO JOHN SAMPSON & PATRICIA
JANHONEN*

WHEREAS: Property located in the Town of Barton transferred to Tioga County, identified as Tax Map number 134.00-1-20.30, parcel number 1965 owes 2015, 2016 and 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by John Sampson & Patricia Janhonen, who has made an offer to purchase back their property for \$900.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$900.00 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Barton, identified on the Town of Barton Tax Map as number 134.00-1-20.30 parcel number 1965 to John Sampson & Patricia Janhonen or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 204-17 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
OWEGO TO CHRISTOPHER TYLER*

WHEREAS: Property located in the Town of Owego transferred to Tioga County, identified as Tax Map number 164.00-2-22.1, parcel number 5479 owes 2015, 2016 and 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Christopher Tyler, who has made an offer to purchase his parents property for \$9,000.00, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$9,000.00 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Owego, identified on the Town of Owego Tax Map as number 164.00-2-22.1 parcel number 5479 to Christopher Tyler or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 205-17 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF
OWEGO TO THE APALACHIN FIRE
DEPARTMENT*

WHEREAS: Property located in the Town of Owego transferred to Tioga County, identified as Tax Map number 142.14-1-39, parcel number 4817 owes 2015, 2016 and 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by Apalachin Fire Department, who has made an offer to purchase this property for \$14,000 "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$14,000 and recording costs of \$185.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the, Town of Owego, identified on the Town of Owego Tax Map as number 142.14-1-39 parcel number 4817, to Apalachin Fire Department or assigns.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standinger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 206-17 CREATE AND FILL SEASONAL SOCIAL WELFARE EXAMINER POSITION AND SEASONAL OFFICE SPECIALIST I POSITIONS FOR THE HEAP PROGRAM DEPARTMENT OF SOCIAL SERVICES

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Home Energy Assistance Program (HEAP) will tentatively begin outreach in mid-August and be in full season on November 13, 2017; and

WHEREAS: The Social Services budget allows for the hiring of the following staff for the HEAP Program:

One, full-time, seasonal Social Welfare Examiner for the period November 1, 2017 through January 31, 2018 at the starting salary of \$14.37 per hour, and

Two, full-time seasonal Office Specialist I for the period November 1, 2017 through January 31, 2018 at the starting salary of \$11.92 per hour, and

One, full-time, seasonal Office Specialist I for the period October 16, 2017 through February 28, 2018 at the starting salary of \$11.92 per hour; therefore be it

RESOLVED: That the Department of Social Services be authorized to create and fill the seasonal HEAP positions listed above and where required, appoint from the appropriate eligible list.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standing.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 207-17

*AUTHORIZE DONATION OF
VACATION DAYS OR
COMPENSATORY TIME (SHERIFF'S
OFFICE)*

WHEREAS: Frank Lavore, a Road Patrol Sergeant at the Sheriff's Office has undergone a medical procedure which has caused him to be out of work for an extended period of time; and

WHEREAS: Sergeant Lavore has exhausted all his benefit time to cover his entire absence; and

WHEREAS: Tioga County Sheriff's Office employees are willing to donate their vacation or compensatory time for Sergeant Lavore to use; and

WHEREAS: The County believes it is important and appropriate to support Sergeant Lavore during this time; therefore be it

RESOLVED: That Sergeant Lavore shall be required to liquidate all accrued vacation and compensatory time, but then shall have vacation days or compensatory time donated by Sheriff's Office employees made available to him for any remaining portion of his absence from August 9th, 2017 through approximately September 27th, 2017; and be it further

RESOLVED: That in the event Sergeant Lavore returns to work earlier than September 27th, 2017, access to donated vacation days and compensatory time will end.

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standing.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolution considered, seconded by Legislator Mullen and carried.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 208-17 ACCEPT AUCTION BIDS FOR COUNTY
OWNED PROPERTY ACQUIRED FOR
TAXES, AUTHORIZE EXECUTION OF DEEDS

WHEREAS: Properties acquired by Tioga County for nonpayment of taxes in the Towns of Barton, Berkshire, Candor, Newark Valley, Nichols, Owego, Richford and Tioga were offered for sale at Public Auction conducted Thursday, August 10, 2017, by the County Treasurer; and

WHEREAS: It is the intent of the Legislature to return the properties to the Tax Rolls as soon as possible; therefore be it

RESOLVED: That the following bids, being the highest made at said Auction for the several different properties offered, be and hereby are accepted and the Chair of the Tioga County Legislature authorized to sign and record, on receipt of the amount bid and recording costs, Quit Claim Deeds conveying the various parcels to the successful bidders and to their assigns:

Prior Owner-Tax Map#	Purchaser	Bid
<u>Town of Barton:</u>		
Michael Spencer, 166.15-4-51	Gerald M. Weed & Martina H. Weed	\$29,000
Richard Fontanez, 135.00-2-6.20	Kelly J. Zimmer	\$ 4,500
Thomas N. Peters 112.00-2-15.13	Brian T. Alexander &	\$15,500
Mary K. Peters,	Terrie L. Alexander	
<u>Town of Berkshire</u>		
William Vandenburg, 23.19-1-10 9	Edward B. Goodrich &	\$ 3,250
Bonnie Vandenburg	Kathy E. Goodrich	
Lynn Terwilliger, 42.00-2-10.112	George A. Hoffmier Sr &	\$ 6,000
Jesse Playle,	George A. Hoffmier Jr	
Broome Oil & Gas, 23.00-3-4.131	Michael A. Wilcox	\$ 1,000
Anatoly Atamansky, 43.00-2-22.7	George A. Hoffmier Sr &	\$ 6,125
	George A. Hoffmier Jr	
Anatoly Atamansky, 43.00-2-22.8	George A. Hoffmier Sr &	\$ 6,125
	George A. Hoffmier Jr	
Anatoly Atamansky, 43.00-2-22.9	George A. Hoffmier Sr &	\$ 6,125
	George A. Hoffmier Jr	
Anatoly Atamansky, 43.00-2-22.11	George A. Hoffmier Sr &	\$ 6,125
	George A. Hoffmier Jr	
<u>Town of Candor:</u>		
Harold R. Vrabel, 62.00-1-17.111	Anthony Huizinga	\$44,000
William & Kathleen McAvoy, 61.09-1-5	Brandon S. Baird	\$19,000
Thomas J. Zurzusi Sr, 63.00-1-8.22	Dmitry Serebryany	\$54,000
<u>Town of Newark Valley:</u>		
Harold R. Vrabel, 42.00-1-37.12;	Edward M. Dailey	\$38,000
Ward Wakeman, 64.00-1-22,	Nathan M. Lawton	\$10,000
Alta & Stuart Patterson, 86.00-1-1	April Lynne Hulslander	\$ 8,000
Alta & Stuart Patterson, 86.00-1-2	Walter E. Zink Sr. &	\$ 1,000
	Tia Theresa Zink	
Antonia Panepinto, 64.00-1-28	Edward B. Goodrich &	\$ 1,000
	Kathy E. Goodrich	
William Foust, 64.00-1-43,	Edward B. Goodrich &	\$ 1,400
Robert Blakeslee,	Kathy E. Goodrich	
Joseph Hutchinson 64.19-2-25,	Brandon S. Baird	\$18,000

Dennis Hutchinson Daniel G. Peabody 64.19-3-13 Roxonne Romano/Peabody,	Eric D. Slate	\$16,500
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Town of Nichols:

Leroy Frisbie, 159.00-2-28 & 159.00-2-29	Lori A. Searfoss	\$38,000
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Town of Owego:

Jacquelyn M. Dimock, 117.20-2-6	Randy L. Stable	\$ 500
Phillip M. Petrusky, 128.08-2-19	Stuart J.B Craddock	\$13,000
Robert W. Laman II, 128.08-2-17	Joseph P. Motell & Carol A. Motell	\$13,500
Leonard & Alicia Elliott, 141.00-1-28	Robert E. Struble	\$40,000
June A Packer, 120.00-2-9	Tracy S. Macharyas & David J. Brunnabend II	\$ 900
Robert W. Laman II, 164.00-2-4.11	Kristine A. Rezmerski & James S. Walley	\$ 6,500
Christie L. Caton, 153.07-1-60	Dennis H. Randall	\$ 4,000
Stanley & Ella Brown 175.00-2-46	Michael B. Yammine	\$19,500

Town of Richford:

Sarah Lafitte, 11.14-1-11	Kim E. Crandall	\$10,000
Curtis L. Locke, 10.00-1-6	Brian D. Brown	\$ 200

Town of Tioga:

Richard Fontanez, 136.00-1-28.30	Kelly J. Zimmer	\$ 50
Caleb S. & Kerry Root, 158.00-2-3.112	Kim M. Root	\$ 500

ROLL CALL VOTE

Yes – Legislators Sullivan, Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey and Standingger.

No – None.

Absent – Legislator Roberts.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:12 P.M.

Ninth Regular Meeting
September 12, 2017

The Ninth Regular Meeting of 2017 was held on September 12, 2017 and was called to order by the Chair at 6:00 P.M. Seven Legislative members were present, Legislators Monell and Sullivan being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "Dear Lord, may we all come to understand that blessings are everywhere, that our attitudes will affect outcomes and that challenges are often gifts in disguise."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

Chair Sauerbrey spoke. "Please keep in your prayers the family of Dick LeCount. He passed away yesterday. He was our former Emergency Management Director for the County."

There were 8 people in attendance.

Chair Sauerbrey stated that there are two Proclamations, one on International Literacy Day, which will just be noted and another one on National Preparedness Month, which Legislator Standinger will read and present.

PROCLAMATION
INTERNATIONAL LITERACY DAY 2017,
ADULT EDUCATION AND FAMILY LITERACY WEEK 2017

WHEREAS: The need for a highly literate citizenry increases as Tioga County, New York moves toward an increasingly technological future; and

WHEREAS: Approximately fourteen percent of the Tioga County adults experience literacy issues that impact severely on their lives and families, their ability to work productively, and their full participation as citizens and residents of Tioga County, New York; and

WHEREAS: 36 Million adults in the United States cannot read, write, or do basic math above a third grade level; 72% of children whose parents have low literacy levels have a chance of being at the lowest reading levels themselves; and

WHEREAS: The Literacy Volunteers of Broome – Tioga Counties, Inc., now marking their 50th year of service, work with the Tioga County Legislature in inviting the citizens and businesses of Tioga County to join in highlighting the economic and societal importance of literacy;

NOW, THEREFORE, THE TIOGA COUNTY LEGISLATURE does hereby proclaim

September 8, 2017, as INTERNATIONAL LITERACY DAY and the dates of September 24 through September 30, 2017 as Adult Education and Family Literacy Week in Tioga County, New York

and urge fellow citizens to learn more about the importance of literacy and to become involved with literacy in their communities.

Legislator Standinger read and presented the following Proclamation on National Preparedness Month to Emily Warfle, Public Health Educator.

COUNTY OF TIOGA
EXECUTIVE PROCLAMATION

WHEREAS: September is nationally recognized as National Preparedness Month; and

WHEREAS: In 2011, Hurricane Irene and Tropical Storm Lee moved through the Southern Tier damaging homes throughout the County. Recent national events also highlight the devastation natural disasters can cause; and

WHEREAS: Threats can come in many forms including natural disasters, terrorist attacks and pandemic disease outbreaks; and

WHEREAS: Community preparedness improves the ability of municipalities and emergency agencies to respond to disasters, secure necessary resources and quickly recover; and

WHEREAS: Trained Medical Reserve Corps volunteers are vital in events and can be called upon in hazards that pose a threat to the public's health; and

WHEREAS: Tioga County Public Health recommends citizens prepare well thought out plans for communications, sheltering in place and a strategy of escape; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the month of September 2017 as:

NATIONAL PREPAREDNESS MONTH

and urges all citizens of our County to become more involved in preparing together as a community. Disasters don't plan ahead but you can.

Legislator Standinger spoke. "In my prior career I had to deal with a lot of emergency situations and my rule of thumb was always prepare for the worst and pray for the best, but if you prepare for the worst odds are you are going to be able to handle it. If you do not then you are really taking a chance. With that being said we have a Public Health Department employee here to speak to this."

Emily Warfle, Public Health Educator for the Department of Health spoke. "On behalf of the entire Public Health Department we would like to thank you for acknowledging our efforts to prepare our community better. In fact, we have a couple of free seminars coming up where we are going to reach out to the public to encourage them to be prepared because remember disasters do not plan ahead, but we can. Thank you."

There was no privilege of the floor.

Legislator Weston made a motion to approve the minutes of August 10 and 15, 2017, seconded by Legislator Mullen, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

LEGISLATIVE WORKSESSION

RESOLUTION NO. 209-17

*RESOLUTION MEMORIALIZING
CONGRESS TO PASS THE SECOND
AMENDMENT GUARANTEE ACT
PERTAINING TO LIMITING STATE AND
LOCAL GOVERNMENT'S AUTHORITY
TO REGULATE RIFLES AND SHOTGUNS*

WHEREAS: The middle of the night passage of the NY SAFE Act in 2013 went far beyond federal law by unnecessarily regulating firearms that citizens may possess and carry. The NY SAFE Act broadened the definition of assault

weapons to include semi-automatic rifles, semi-automatic shotguns and semi-automatic pistols; and

WHEREAS: As a result, law abiding sportsmen and women were greatly impacted. Many of Tioga County residents were rightfully upset by the passing of this legislation. In response to this, the Legislators of the Tioga County Legislature submitted a memorializing resolution that called for the repeal of the NY SAFE Act, however attempts to repeal the NY SAFE Act at the State level have not been successful; and

WHEREAS: Recently Congressman Chris Collins of New York has unveiled the Second Amendment Guarantee Act (SAGA). This legislation aims to repeal many parts of the NY SAFE Act as it pertains to rifles and shotguns. Many law abiding gun owners have been left vulnerable as a result of the NY SAFE Act; the goal of SAGA is to restore Second Amendment rights that are currently being denied to citizens; and

WHEREAS: SAGA will lift the regulations that the State has unnecessarily placed on firearms, specifically rifles and shotguns, by ensuring that the maximum regulation that can be placed on these firearms cannot exceed Federal Law. Tioga County applauds Congressman Collins' efforts to ensure that all citizens Second Amendment rights are protected; therefore be it

RESOLVED: That the Tioga County Legislature joins in calling on Congress to pass Congressman Chris Collins' Second Amendment Guarantee Act; and be it further

RESOLVED: That the Clerk of the Tioga County Legislature shall forward a certified copy of this resolution to Governor Andrew Cuomo, Congressman Thomas Reed, Congresswoman Claudia Tenney, Senator Fred Akshar, and Assemblyman Christopher Friend.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 210-17 TRANSFER OF FUNDS FROM DA AND CONTINGENCY TO ASSIGNED COUNSEL

WHEREAS: The Assigned Counsel budget has had a high number of cases for 2017 and the Assigned Counsel account will not have sufficient funds for the remainder of 2017; and

WHEREAS: It is anticipated the District Attorney's Office will come in under budget and have surplus in Trial's Budget Line Item; and

WHEREAS: Funds will need to be transferred from the District Attorney's budget and Contingency Account to the Assigned Counsel Account to accommodate the increase in cases for 2017; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715 Contingency Account	\$20,000.00
A1165 540720 District Attorney Trial Costs	\$20,000.00
To: A1172 540030 Assigned Counsel	\$40,000.00

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: FINANCE/ LEGAL & SAFETY

RESOLUTION NO. 211-17 REQUEST AND TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT

WHEREAS: The Law Department funds are insufficient to cover salaries through the end of 2017 due to pay out for accrued and unused vacation upon the retirement of the County Attorney as well as paying the salaries of the new County Attorney and the temporary position of Special County Attorney during March/April of 2017; and

WHEREAS: The funding is available in the Contingency Account to transfer to the Law Salary Full Time account; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following transfer:

FROM:	A1990 540715	Contingency-Transfer	\$8,550.00
TO:	A1420 510010	Law – Salary Full Time	\$8,550.00

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 212-17 TRANSFER OF FUNDS FROM CONTINGENCY AND
BUDGET MODIFICATION SOCIAL SERVICES

WHEREAS: Tioga County Department of Social Services (DSS) receives an annual chargeback bill from the Office of Children and Family Services (OCFS) for the county share of foster children housed in OCFS residential facilities; and

WHEREAS: DSS has received the chargeback bill for calendar year 2015 in the amount of \$246,051.37 and determined the amount exceeds budgeted funds by \$146,051.37; and

WHEREAS: The additional funding needed will require a budget modification and transfer of funds from contingency to Social Services appropriation account; and

WHEREAS: Transfer of funds and contingency fund requests requires Legislative approval; therefore be it

RESOLVED: That contingency fund use be approved and transferred as follows:

From: A1990 540715	Contingency Account Transfer	\$ 146,051.37
To: A6129 540487	State Training Schools Program Expense	\$ 146,051.37

Legislator Standinger spoke. "I would like to say that this was a surprise cost that was dumped on us by the State Government. They increased our billing by double and we are addressing this with our State Representatives, but until they can figure out how to do things up there they are going to continue to push this on to us. Unfortunately this is a cost that we have to pay."

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Huttleston.

REFERRED TO:	PUBLIC WORKS COMMITTEE FINANCE/LEGAL COMMITTEE
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RESOLUTION NO. 213-17	<i>TRANSFER OF FUNDS FROM CONTINGENCY ACCOUNT TO HOUSEHOLD HAZARDOUS WASTE ACCOUNT AND MODIFY 2017 BUDGET</i>
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WHEREAS: There is a significant increase in the amount of electronic waste being brought by Tioga County residents; and

WHEREAS: This increase has caused the budgeted amount to be exceeded for the 2017 Hazardous Waste Program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer from contingency and modify the budget as follows:

From: B1990 540715 Contingency Account \$10,000

To: B8160 542261 Household Hazardous Waste \$10,000

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGAL/FINANCE COMMITTEE

RESOLUTION NO. 214-17 *REQUEST FOR RESERVE FUNDS AND
BUDGET MODIFICATION/TRANSFER*

WHEREAS: Chapter 497 of the New York State Law of 1999 requires every county to establish a separate handicapped parking and education program with the purpose of providing education to increase the awareness of handicapped parking laws; and

WHEREAS: Implementation of this plan is dependent upon revenue generated from a mandatory thirty-dollar handicapped parking fine surcharge which the New York State Law of 1999 requires will be used for activities such as public service announcements, public education and awareness campaigns, distribution of literature and other activities with such purpose; and

WHEREAS: There was no budgeted line item in the general fund for these expenditures and Legislative approval is needed to access funds from a reserve account as well as to modify the budget; therefore be it

RESOLVED: That funds to cover the cost of two public service announcements be allocated as follows:

From: A388904 Reserve for Handicapped Parking Education \$206.00

To: A2989 54010 Advertising \$206.00

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: INFORMATION TECHNOLOGY COMMITTEE

RESOLUTION NO. 215-17 *AUTHORIZE AND FUND PURCHASE OF MICROSOFT WINDOWS 10 SOFTWARE LICENSES WITH APPROPRIATION FROM CAPITAL SOFTWARE RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County infrastructure; and

WHEREAS: The County utilizes Microsoft Windows software for critical daily operations; and

WHEREAS: The ITCS Director has evaluated the current Microsoft licensing needs; and

WHEREAS: A need to purchase additional and new Microsoft software licenses to ensure the County is in license usage compliance has been identified; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the payment of software fees in the amount of \$67,000 to Dell, the holder of the Microsoft NYS OGS contract for software purchases from the Capital Software Reserve Fund for the purchase of Microsoft Windows 10 licenses; and be it further

RESOLVED: That the following funds be transferred:

FROM: H387804 Capital Software Reserve Fund \$67,000.00

TO: H1680-520620 Information Technology Capital Software \$67,000.00

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: INFORMATION TECHNOLOGY

RESOLUTION NO. 216-17 *AUTHORIZE AND FUND
NEW DATA STORAGE SYSTEM
AND APPROPRIATE FUNDS
FROM CAPITAL HARDWARE
RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The ITCS department has identified that an upgrade is needed to the County's primary data storage system; and

WHEREAS: The Information Technology department has conducted an evaluation of available options; and

WHEREAS: VirtulT Systems has been selected to purchase said computer hardware; and

WHEREAS: The Information Technology Committee has reviewed the recommendation and agrees with the ITCS Director's recommendation; therefore be it

RESOLVED: That the ITCS Director be authorized to purchase computer hardware at a cost not to exceed \$42,929.29 from VirtulT Systems; and be it further

RESOLVED: That the following funds be transferred:

From: H 387805 Capital Hardware Reserve	\$42,929.29
TO: H1680-521090 IT Capital Computer	\$42,929.29

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 217-17 *APPROPRIATE FUNDS FROM CAPITAL SOFTWARE AND HARDWARE RESERVES FOR NORTHWOODS PURCHASE*

WHEREAS: The Tioga County Legislature recognizes the importance of County infrastructure; and

WHEREAS: Tioga County Department of Social Services (DSS) has approval to purchase a software system for Mobile Content Management for Child Welfare Services from Northwoods via resolution 189-17; and

WHEREAS: Associated hardware and licensing for support costs have been estimated at \$26,124; and

WHEREAS: Appropriation and transfer of funds requires Legislative approval; therefore be it:

RESOLVED: That the funding be appropriated and transferred as follows:

FROM: H387804 Capital Software Reserve Fund	\$176,458
FROM: H6010 436100 State Aid-Social Services Admin	\$287,905
TO: H6010 540620 Software Expense	\$464,363

FROM: H387805 Capital Hardware Reserve Fund	\$ 3,800
FROM: H6010 436100 State Aid-Social Services Admin	\$ 6,200
TO: H6010 520090 Computer	\$10,000

Legislator Mullen spoke. "A large portion of this is reimbursed through the State 62% and it is going to make our DSS much more efficient with our agents being able to work from the field and have documents signed in the field level cutting back on travel and time and hours expended and more services provided to the people that need the services. It is a lot of money, but I think in the long run we are going to be better off for it."

Legislator Standinger spoke. "I concur with what Legislator Mullen has stated. This is an awful lot of money, but in the long run I think it is going to help the employees in that Department operate more efficiently and sometimes you have to spend money in that regard."

Legislator Weston spoke. "I agree with Bill. It has been a long run."

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PUBLIC WORKS
FINANCE

RESOLUTION NO. 218-17 AUTHORITY ADDITIONAL EQUIPMENT
PURCHASES

WHEREAS: Public Works budgeted \$54,000.00 for a Lift and Manual Press in the 2017 Capital Equipment budget line H5130.521902 Auto Shop Equip/Reno; and

WHEREAS: The cost for these 2 pieces came in under what was anticipated; and

WHEREAS: There was a need for additional items in our facility; and

WHEREAS: There were funds remaining in the amount of \$9,804.79 in H5130.521902 Auto Shop Equip/Reno; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the following purchases out of H5130.521902 Auto Shop Equip/Reno:

Bakers Garage Doors	\$5,804.00 (Garage Doors)
I D Booth Inc.	\$2,106.50 (Heaters)
Fastenal Company	\$1,639.72 (Drill Press & Vise)

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Weston introduced Local Law Introductory No. D of 2017.

County of Tioga

Local Law No. of the Year 2017.

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: TITLE

This Local Law shall be known as the "Hotel/Motel Tax Law".

SECTION 2: PURPOSE

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS

HOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

MOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

SECTION 4: TAX

(A) A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

(B) Said tax shall be paid by the person occupying the room who shall be liable therefore to the owner of the hotel or motel room occupied or to the person entitled to be paid the rent or charge for the hotel or motel room occupied. Said tax shall be paid for and on account of the County of Tioga.

(C) Such owner or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax. Such owner or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the person occupying the hotel or motel room, or in respect to non-payment of the tax by the person occupying the hotel or motel room, as if the tax were a part of the rent or charge; provided, however, that the Tioga County Treasurer shall be joined as a part in any action or proceeding brought to collect the tax by the owner or by the person entitled to be paid the rent or charge.

(D) The filing of returns and the payment of the tax shall be paid to the Tioga County Treasurer on a quarterly basis by such means and in such manner as may be directed by the Tioga County Treasurer.

SECTION 5: PENALTY AND INTEREST

There shall be a penalty for failure to file said return and pay over the tax to the Tioga County Treasurer on the date due in the amount of ten (10%) per cent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due.

SECTION 6: EXEMPTION

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 7: JUDICIAL REVIEW

Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

(A) The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the

proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(C) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Tioga County Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 8: LIMITATION OF TIME

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 9: APPLICATION OF FUNDS

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 10: EFFECTIVE DATE

This local law shall become effective December 1, 2017 and shall remain in effect until November 30, 2020.

SECTION 11: SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the

application of its provisions to other persons or circumstances shall not be affected thereby.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 219-17 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. D of 2017*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. D of 2017 A Local Law providing for the collection of a hotel and motel tax in Tioga County in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, October 5, 2017 at 1:00 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 220-17 *AUTHORIZATION TO ACCEPT AWARDED 2016 NEW YORK HOMES AND COMMUNITY RENEWAL FUNDING FOR \$500,000.00 FROM THE NEW YORK MAIN STREET DOWNTOWN ANCHOR PROGRAM FOR THE 2016 NEW YORK MAIN STREET DOWNTOWN ANCHOR OWEGO REVITALIZATION PROJECT AT 145 FRONT STREET OWEGO (The Parkview)*

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #118-16 to apply and administer a 2016 New York Main Street Program (NYMS) grant for the 2016 New York Main Street Program Downtown Anchor Owego Revitalization Project at 145 Front Street, Owego (The Parkview); and

WHEREAS: A 2016 New York Main Street grant for \$500,000.00 has been awarded; and

WHEREAS: The Tioga County Legislature must accept this grant award of \$500,000.00; now therefore be it

RESOLVED: That the Tioga County Legislature accept the awarded 2016 New York Main Street Downtown Anchor Program total grant for \$500,000.00 to be administered by the Tioga County Economic Development and Planning Office.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, and Standing.

No – Legislator Roberts.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ECONOMIC DEVELOPMENT & PLANNING COMMITTEE

RESOLUTION NO. 221-17

AUTHORIZATION TO APPROPRIATE FUNDS AND MODIFY 2017 BUDGET FOR THE AWARDED 2016 NEW YORK HOMES AND COMMUNITY RENEWAL FUNDING FOR \$500,000.00 FROM THE NEW YORK MAIN STREET DOWNTOWN ANCHOR PROGRAM FOR THE 2016 NEW YORK MAIN STREET DOWNTOWN ANCHOR OWEGO REVITALIZATION PROJECT AT 145 FRONT STREET OWEGO (The Parkview)

WHEREAS: Tioga County Economic Development and Planning (TCEDP) was approved by Resolution #118-16 to apply and administer a 2016 New York Main Street Program (NYMS) grant for the 2016 New York Main Street Program

Downtown Anchor Owego Revitalization Project at 145 Front Street, Owego (The Parkview); and

WHEREAS: A 2016 New York Main Street grant for \$500,000.00 has been awarded; and

WHEREAS: Included in the grant award is a 5% administrative fee of \$25,000.00; now therefore be it

RESOLVED: That the funds be appropriated and the 2017 Budget be modified as follows:

2017 Budget Modification:

Revenue Account #ORG CE8510 OBJ 439900	\$475,000.00
Expense Account #ORG CE8510 OBJ 540487	\$475,000.00
Name: CE002 2017 Parkview Main Street	

2017 Budget Addition:

Revenue Account #ORG A6422 OBJ 437170	\$25,000.00
Name: State Aid ED Administrative Fee	

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, and Standing.

No – Legislator Roberts.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 222-17 ESTABLISH EQUALIZATION RATES

RESOLVED: That under the provisions of Section 804 of the Real Property Tax Law, equalization rates for the purpose of apportioning 2018 County taxes among the several Towns are hereby established as follows:

Town of Barton	85.00
Town of Berkshire	100.00
Town of Candor	98.00
Town of Newark Valley	70.00
Town of Nichols	24.00
Town of Owego	75.90
Town of Richford	98.00
Town of Spencer	95.00
Town of Tioga	6.60

Legislator Mullen spoke. "This was brought up by several of my people that I represent down in the Waverly/Barton area and this is set by the State and it has nothing to do with us setting the tax increase rate or tax rate. This is something that is a State formula and it is out of our hands."

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standinger.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 223-17 APPROVE 2018 STOP DWI PLAN

WHEREAS: The New York State Governor’s Traffic Safety Committee (GTSC) requires Counties to submit an annual STOP DWI Plan by October 1st, for the use of monies collected under the STOP DWI Program; and

WHEREAS: The STOP DWI Coordinator has submitted a 2018 STOP DWI Plan to the Tioga County Legislature for approval; be it therefore

RESOLVED: That the Tioga County Legislature hereby approves the 2018 STOP DWI Plan including the following budgeted appropriations:

Enforcement	\$38,000
Prosecution Related	\$14,000

Probation	\$21,927
Rehabilitation	\$13,000
PI&E	\$20,000
Administration	<u>\$ 5,450</u>
	\$112,377

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 224-17 APPOINT MEMBER TO YOUTH BOARD
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 48-17 and vacancies exist; now therefore be it

RESOLVED: That the following listed representative be appointed as a member of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation.

Rachel Craig (Replacing Jessica Hobler)	<u>TERM</u> 09/01/17-12/31/19
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ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 225-17 *CONTRACT WITH EXCELLUS BLUE CROSS/BLUE SHIELD TO ADMINISTER HEALTH INSURANCE BENEFITS*

WHEREAS: Tioga County uses the service of Excellus Blue Cross Blue Shield of Central New York to administer health insurance benefits for Tioga County including a Medicare Blue PPO plan; and

WHEREAS: Excellus Blue Cross Blue Shield of Central New York has submitted a new contract to administer fully insured benefits for Tioga County employees for the period of January 1, 2018 through December 31, 2018; and

WHEREAS: These are contractual benefits for Tioga County union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Excellus Blue Cross Blue Shield of Central New York, subject to review by the County Attorney, to administer health insurance benefits for Tioga County for the period January 1, 2018 through December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 226-17 *AUTHORIZE CONTRACT WITH THE HARTFORD TO ADMINISTER MEDICARE ELIGIBLE RETIREE HEALTH INSURANCE*

WHEREAS: Effective January 1, 2014 Tioga County implemented The Hartford Medicare Supplemental Plan F coupled with a drug plan with \$5/\$15/\$30 co-pays for Medicare eligible retirees and retirees' spouses; and

WHEREAS: This Medicare plan continues to provide optimal coverage to Medicare eligible retirees at a lower cost to Tioga County than previous coverage offered; and

WHEREAS: The Hartford has submitted a new contract to administer the Medicare Supplemental Plan F and drug plan with \$5/\$15/\$30 co-pays for the period of January 1, 2018 through December 31, 2018; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with The Hartford, subject to review by the County Attorney, to administer these insurance benefits for Tioga County for the period January 1, 2018 through December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: HEALTH AND HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 227-17 *AUTHORIZE POSITION RECLASSIFICATION MENTAL HYGIENE*

WHEREAS: Legislative approval is required for position reclassification; and

WHEREAS: On March 30, 2017, the Personnel Department received a position description questionnaire from Linda Beers, Accounting Associate II (CSEA SG V, \$27,380), who works within the Mental Hygiene's accounting division; and

WHEREAS: A desk audit resulted and involved the review of work tasks performed by staff within said division; and

WHEREAS: Following the appeal process, the Personnel Officer has made a final determination that due to the type of work assigned to Ms. Beers and her level of autonomy in carrying out those assignments demonstrates sufficient justification to reclassify her title in order to accurately reflect the work performed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the reclassification of the Accounting Associate II position currently filled by Linda Beers to Accounting Associate III (CSEA SG VII, \$33,514); and be it further:

RESOLVED: That Ms. Beers' shall be appointed from an appropriate eligible list and shall receive a salary increase of \$6,134 added to her current annual salary retroactive to March 30, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 228-17

*AUTHORIZE BACKFILL PART TIME
ASSISTANT FIRE COORDINATOR
(BUREAU OF FIRE)*

WHEREAS: The Tioga County Bureau of Fire has a need to backfill an Assistant Fire Coordinator (PT) position, which has been vacant since July 4, 2017; and

WHEREAS: The Fire Coordinator has identified a qualified candidate who has been found to meet the minimum qualifications of the Assistant Fire Coordinator (PT) classification; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the appointment of Charles Bement to the vacant Assistant Fire Coordinator (PT) position effective September 18, 2017, at an annual non-union salary of \$2,600.00; and be it further

RESOLVED: In accordance with the Non-Union Benefits Policy, Mr. Bement will not receive a salary increase on January 1, 2018, and instead will be evaluated within 6 months in order to determine any salary increase at that time.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 229-17 *AMEND RESOLUTION #280-16; CREATE AND FILL
TEMPORARY, FULL-TIME CLERK (SEASONAL)
POSITION (PERSONNEL DEPT)*

WHEREAS: A Seasonal Clerk position was authorized by Resolution #280-16 for the period of May 15, 2017 through September 1, 2017; and

WHEREAS: The position was not filled until May 31, 2017; and

WHEREAS: The amount budgeted for this position could cover May 31, 2017 through September 14, 2017; therefore be it

RESOLVED: That Resolution #280-16 is hereby amended to indicate that the Seasonal Clerk position in Personnel may run through September 14, 2017.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 230-17 *RESOLUTION TO DECLARE WORK DAY
STATUS FOR ELECTED AND
APPOINTED OFFICIALS*

WHEREAS: Resolution 206-09 and 127-16 established a standard work day for elected and appointed officials for New York State and Local Employees' Retirement System reporting purposes; and

WHEREAS: New York State recently audited Tioga County's reporting of salaried elected and appointed officials; and

WHEREAS: Tioga County responded to the audit by reviewing current retirement reporting and making any necessary adjustment; and

WHEREAS: It came to light that some additional positions do not have an established standard work day; therefore be it

RESOLVED: That the Tioga County Legislature hereby establishes as a standard work day for these additional elected and appointed officials for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System as follows:

Appointed Officials

Five day work week, seven hour day: Assigned Counsel Administrator
Information Security Officer

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts, and Standing.

No – None.

Absent – Legislators Monell and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:17 P.M.

Fourth Special Meeting
September 21, 2017

The Fourth Special Meeting of 2017 was called to order by the Chair at 10:00 A.M. Seven Legislative members were present, Legislators Roberts and Sullivan being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "I would like a moment of silence for all the hungry children that live in our County and hope that we have a way some day of making it so they do not have to feel embarrassed about the fact that they are getting a free meal."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 7 people in attendance.

Legislator Weston introduced Local Law Introductory No. E of 2017.

County of Tioga

Local Law No. of the Year 2017.

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: TITLE

This local Law shall be known as the "Hotel/Motel Tax Law"

SECTION 2: PURPOSE

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS

HOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

MOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

OCCUPANCY - The use or possession, or the right to the use or possession of any room in a hotel or motel.

OCCUPANT - A person who, for a charge or any consideration uses, possesses, or has the right to use or possess, any room in a hotel or motel under any lease, concession, permit, right, license, agreement, or otherwise.

OPERATOR - Any person operating a hotel or motel in Tioga County including but not limited to the owner, proprietor, lessee, sub-lessee, mortgagee in possession, licensee, or any other person otherwise operating such hotel or motel.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

PERSON - An individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

RENT - The charge and/or consideration received for occupancy valued in money, whether received money, or otherwise.

RETURN - Any return filed or required to be filed as herein provided.

ROOM - Any room or rooms of any kind in any part or portion of a hotel or motel, which is available for rent or otherwise let out for the lodging of guests.

TREASURER – Tioga County Treasurer

SECTION 4: TAX

A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

SECTION 5: EXEMPTION

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 6: REGISTRATION

Within three (3) days after commencing business or opening, every operator shall file with the Treasurer a registration application in a form prescribed by the Treasurer.

SECTION 7: ADMINISTRATION AND COLLECTION

(A) The tax imposed by this local law shall be administered and collected by the Treasurer, or other fiscal officers of Tioga County, by such means and in such manner as other taxes which are now collected and administered by such officers or as otherwise may be provided by such local law.

(B) The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement of charge made for said occupancy issued or delivered by the operator. The tax shall be paid by the occupant to the operator or to the person entitled to be paid the rent or charge for the hotel or motel occupied for and on account of the County, and the operator or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax.

(C) The operator or any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this local law, and such operator or person entitled to be paid the rent or charge shall have the

same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant, as if the tax were a part of the rent or charge and payable at the same time as the rent or charge; provided, however, that the Treasurer or other fiscal officers, employees or agents specified in this local law, shall be joined as a party in any action or proceeding brought to collect the tax by the operator or by the person entitled to be paid the rent or charge.

(D) The Treasurer may, whenever deemed necessary for the proper enforcement of this local law, provide that the occupant shall file returns and pay directly to the Treasurer, the tax herein imposed.

(E) For the purpose of the proper administration of this local law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator, except that, where by regulation pursuant to subdivision (d) of this section, an occupant is required to file returns and pay directly to the Treasurer the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant.

(F) Where an occupant claims exemption from the tax under the provisions of section five of this local law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary, the operator may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the Treasurer certifying that the corporation or association therein named is exempt from the tax under section five of this local law.

SECTION 8: RECORDS TO BE KEPT

Every operator shall keep records of every occupancy and of all rent paid, charged and due thereon and of the tax payable thereon, in such form as the Treasurer may require. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or the Treasurer's duly authorized agents or employees, and shall be preserved for a period of not less than three (3) years, except that the Treasurer may consent in writing to their

destruction within that period or may in writing require that such records be kept and maintained for a specified period in excess of three (3) years.

SECTION 9: RETURNS

(A) The filing of returns and the payment of the tax shall be paid to the Treasurer on a quarterly basis. Such returns shall be filed within twenty (20) days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as may be specified. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this local law, the Treasurer may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as may be specified.

(B) The forms of returns shall be prescribed by the Treasurer and shall contain such information as may be deemed for the proper administration of this local law. The Treasurer may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.

(C) If the return required by this local law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such return or of a corrected return.

SECTION 10: PAYMENT OF TAX

(A) Upon the time of filing a return of occupancy and of rents, each operator shall pay to the Treasurer the taxes imposed by this local law upon the rents required to be included in such return, as well as other monies collected by the operator acting or purporting to act under the provisions of this local law.

(B) Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this local law, the Treasurer may require any operator obligated to collect the tax imposed by this local law to file with the Treasurer's office a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator.

(C) In the event the Treasurer determines that an operator is to file such bond, notice shall be given by the Treasurer to such operator to that effect specifying the amount of the bond required.

(D) The operator shall file such bond within five (5) days after the issuance of such notice, unless within five (5), days the operator shall serve upon and deliver to the Treasurer a written request for a hearing before the Treasurer at which the

necessity, propriety and amount of the bond shall be determined by the Treasurer. Any determination by the Treasurer upon such hearing shall be final and shall be complied with by the operator within fifteen (15) days after the giving of notices thereof.

(E) In lieu of such bond, securities approved by the Treasurer or cash in such amount as may be prescribed, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice of the depositor apply them to any tax and interest and penalties due, and for that purpose the securities may be sold by the Treasurer at public or private sale without notice to the depositor thereof.

SECTION 11: DETERMINATION OF TAX

If a return required by this local law is not filed, or if a return is incorrect or insufficient, the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after giving of such notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of its own motion shall re-determine the same. After such hearing, the Treasurer shall give notice of the determination made to the person against whom the tax is assessed. Any final determination of the amount of any tax payable hereunder, shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty (30) days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the Civil Practice Law and Rules shall not be instituted unless:

(A) The amount of tax sought to be reviewed, with such interest and penalties thereon as may be provided for by local law or regulation shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the Supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner, such undertaking may be in a sum sufficient to cover the taxes, interests, and penalties stated in such determination plus the costs and charges which may accrue against such petitioner in the prosecution

of the proceeding, in which event the petitioner shall not be required to pay such taxes, interests or penalties as a condition precedent to the application.

SECTION 12: JUDICIAL REVIEW

(A) Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

1. The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or
2. At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(B) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 13: PENALTY AND INTEREST

There shall be a penalty for failure to file said return and pay over the tax to the Treasurer on the date due in the amount of ten (10%) per cent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due.

SECTION 14: LIMITATION OF TIME

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 15: RESERVES

In cases where the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to such occupant or operator on such application for a refund, the Treasurer shall set aside sufficient monies to meet any decision adverse to the County.

SECTION 16: APPLICATION OF FUNDS

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 17: REMEDIES EXCLUSIVE

The remedies provided by sections eleven (11) and twelve (12) of this local law shall be the exclusive remedies available to any person for the review of the tax liability imposed by this local law; and no determination or proposed determination of tax or determination on any application for refund or credit shall be enjoined, contested or reviewed by any action or proceeding, except by a proceeding under article seventy-eight of the Civil Practice Law and Rules provided, however, that a taxpayer may proceed by declaratory judgment if suit is instituted within thirty (30) days after a deficiency assessment to the

Treasurer prior to the institution of such suit and posts a bond for costs pursuant to section twelve (12) of this local law

SECTION 18: PROCEEDINGS TO RECOVER TAX

(A) Whenever any operator or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this local law as herein provided, or whenever any occupant shall fail to pay any such tax, penalty or interest, the County Attorney shall, upon the request of the Treasurer bring or cause to be brought an action to enforce the payment of the same on behalf of Tioga County in any court of the State of New York or of any other state or of the United States.

(B) Notwithstanding any other provision of this section, if the Treasurer, in its discretion, believes that any such operator, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Treasurer may declare such tax or penalty to be immediately due and payable and may issue a warrant, as provided in this section, immediately.

(C) As an additional alternate remedy, the Treasurer may issue a warrant, directed to the Tioga County Sheriff or to the Sheriff of any other county commanding said Sheriff to levy upon and sell the real and personal property of the operator, occupant, or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to the Treasurer the money collected by virtue thereof within sixty (60) days after the receipt of such warrant. The sheriff shall, within five (5) days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by in respect to executions issued against property judgments of a court of record and for services in executing the warrant the Sheriff shall be entitled to the same fees, which may be collected in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred upon by the Sheriff, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such

duty. If a warrant is returned not satisfied in full, the Treasurer may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefor and execution thereon has been returned unsatisfied.

(D) Whenever an operator shall make a sale, transfer, or assignment in bulk of any part of the whole of a hotel, motel, or lease, or of such operator's business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least ten (10) days before taking possession of the subject of the said sale, transfer or assignment, or paying therefor, notify the Treasurer by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that any tax is owed pursuant to this local law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

(E) Whenever the purchaser, transferee or assignee shall fail to give notice to the Treasurer as required by sub-section eighteen (18) (d), of this section or whenever the Treasurer shall inform the purchaser, transferee, or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien of any such taxes theretofore or thereafter determined to be due the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this sub-section, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of article six of the Uniform Commercial Code, shall be personally liable for the payment determined to be due to the County from the seller, transferor or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this local law.

SECTION 19: GENERAL POWERS OF THE TREASURER

In addition to the powers granted to the Treasurer by County Law and this local law, the Treasurer is hereby authorized and empowered:

(A) To make, adopt and amend rules and regulations, and to issue orders, appropriate to the carrying out of this local law and the purposes thereof;

(B) To extend for cause shown the time of filing any return for a period not exceeding thirty (30) days; and for cause shown, to remit or waive penalties but

not interest; and to compromise disputed claims in connection with the taxes hereby imposed.

(C) To request information from the tax commissioner of the State of New York or the treasury department of the United States relative to any person; and to afford information to such tax commissioner or such treasury department relative to any person, any other provision of this local law to the contrary notwithstanding

(D) To delegate said functions hereunder to any employee or employees of the Treasurer

(E) To prescribe methods for determining the rents for occupancy and to determine the taxable and nontaxable rents

(F) To require any operator within the County to keep detailed records of the nature and type of hotel or motel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this local law, and to furnish such information upon request to the Treasurer

(G) To assess, determine, revise and readjust the taxes imposed under this local law

SECTION 20: ADMINISTRATION OF OATHS AND COMPELLING TESTIMONY

(A) The Treasurer, or the Treasurer's duly designated and authorized employees or agents, shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of the Treasurer's powers and duties under this local law.

(B) The Treasurer shall have the power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his duties hereunder and of the enforcement of this local law, and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before the Treasurer or excused from attendance.

(C) A justice of the Supreme Court, either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this local law.

(D) Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than one year, or both such fine and imprisonment.

(E) The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts or record, except as herein otherwise provided.

(F) The County Sheriff, the Sheriff's duly appointed deputies, and any officer or employee of the Treasurer designated to serve process under this local law, are hereby authorized and empowered to serve any summons, subpoena, order, notice, document, instrument, or other process to enforce or carry out this local law.

SECTION 21: REFERENCE TO TAX

Wherever reference is made in placards or advertisements or in any other publications to this tax such reference shall be substantially in the following form: "Tax on occupancy of hotel or motel rooms"; except that in any bill, receipt, statement or other evidence of memorandum of occupancy or rent charge issued or employed by the operator, the word "tax" will suffice.

SECTION 22: RETURNS TO BE SECRET

(A) Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of the taxpayer contained in any return required under this local law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Treasurer in an action or proceeding under the provisions of this local law or on behalf of any party to any action or proceeding under this local law when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative or a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the

return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three (3) years and thereafter until the Treasurer permits them to be destroyed.

(B) Any violation of this section shall be punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment not exceeding one year, or both, in the discretion of the court.

SECTION 23: EFFECTIVE DATE

This local law shall become effective December 1, 2017 and shall remain in effect until November 30, 2020.

SECTION 24: SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of its provisions to other persons or circumstances shall not be affected thereby.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 231-17 *SCHEDULE PUBLIC HEARING
LOCAL LAW INTRODUCTORY
NO. E of 2017*

RESOLVED: That a public hearing shall be held on Local Law Introductory No. E of 2017 A Local Law providing for the collection of a hotel and motel tax in Tioga County in the Edward D. Hubbard Auditorium of the Ronald E. Dougherty County Office Building, 56 Main Street, Owego, New York 13827 on Thursday, October 5, 2017 at 1:05 P.M. All persons desiring to present written or oral comments may do so at said time.

ROLL CALL VOTE

Yes – Legislators Weston, Hollenbeck, Huttleston, Monell, Mullen, Sauerbrey, and Standing.

No – None.

Absent – Legislators Roberts and Sullivan.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:03 A.M.

Public Hearing
Local Law Introductory No. D of 2017
October 5, 2017

The Public Hearing on Local Law Introductory No. D of 2017 A Local Law providing for the collection of a hotel and motel tax in Tioga County was called to order by the Deputy Chair at 1:00 P.M. Eight Legislative members were present, Legislator Monell being absent.

There were nine people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Legislative Clerk Dougherty spoke. "This Local Law is the one that we are not going to be using. What happened was, Economic Development submitted the Local Law that they pulled from 2014. We renew it every three years and then I discovered after the fact and after we set everything up that in 2015 Judy Quigley, LeeAnn and Jim McFadden got together and extensively redid the hotel/motel tax law to put in provisions for collection of the taxes. We have to follow the process and we have another hearing at 1:05 P.M. to do the right hotel/motel tax."

County Attorney Peter Dewind spoke. "We originally introduced an older version and now it was corrected subsequently to have some more information about collections."

There being no further comments, the hearing was adjourned at 1:02 P.M.

Public Hearing
Local Law Introductory No. E of 2017
October 5, 2017

The Public Hearing on Local Law Introductory No. E of 2017 A Local Law providing for the collection of a hotel and motel tax in Tioga County was called to order by the Deputy Chair at 1:05 P.M. Eight Legislative members were present, Legislator Monell being absent.

There were nine people in attendance.

The Clerk read the legal notice as published in the official newspapers.

Legislative Clerk Dougherty spoke. "This is the correct hotel/motel tax law that we are going to do, which is much bigger and more extensive, and it is good for three years. It is on the agenda for adoption for next Tuesday and then it will be sent to the State."

Legislator Huttleston inquired if this was a correction of the first public hearing that was just held.

County Attorney Peter Dewind spoke. "The other one was much shorter and when it was rewritten it tracked more closely with the actual State law and it gives us a lot more tools to deal with people that do not pay, which we are currently having some issues with, two hotel chains in particular."

Legislator Standinger spoke. "I just want to thank the individuals responsible for identifying the errors and correcting them."

There being no further comments, the hearing was adjourned at 1:07 P.M.

Tenth Regular Meeting
October 10, 2017

The Tenth Regular Meeting of 2017 was held on October 10, 2017 and was called to order by the Deputy Chair at 12:00 P.M. Seven Legislative members were present, Legislators Mullen and Sauerbrey being absent.

Deputy Chair Weston asked Legislator Hollenbeck to have a moment of prayer. "God Bless our Nation's first responders. These are the people that run towards danger while others flee from it. Please keep them in your thoughts and prayers."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

Deputy Chair Weston noted that we have two recognition resolutions this month.

Legislator Standinger read and presented the following recognition resolution to Susan Haskett of the Public Health Department.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO

HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 232-17

*RECOGNITION OF
SUSAN HASKETT'S 17 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
PUBLIC HEALTH DEPARTMENT*

WHEREAS: Susan Haskett was appointed to the position of Junior Computer Programmer on October 25, 1999, in the Tioga County Department of Information Technology; reclassified to Software Support Liaison on August 2, 2002; transferred to Tioga County Department of Public Health on January 1, 2006; reclassified to Communications & e-Services Coordinator on February 15, 2016; and also appointed Tioga County Information Security Officer on March 21, 2016; positions she still holds; and

WHEREAS: In the third quarter of 2013 Susan was honored as Team Member of the Quarter by her peers in Public Health; and

WHEREAS: Susan Haskett has been extremely dedicated, loyal and professional in the performance of her duties and responsibilities during the past 17 years in Public Health. She has earned the respect of her colleagues and peers throughout Tioga County; and

WHEREAS: Ms. Haskett will retire on October 28, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Susan Haskett for her over 17 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Susan Haskett.

ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "I have to ask her one question, what is the name puppy on your license plate stand for?"

Susan Haskett spoke. "It is a very big SUV. It was a dare. My husband did not think I would put it on the license plate because I had puppy feet on these big tires. It started out being a Tahoe. He got embarrassed by being asked the same question all the time."

Susan Medina, Deputy Director of Public Health spoke. "I just want to share a couple of words. Sue started with Public Health working at 231 Main Street or here, I do not remember, but I started working with her in 2003 and we were in the 231 Main Street building, and it was always nice going to Sue's office because it was all a beach theme and she has always been so pleasant and sunny to interact with and always was that person you ran to with questions. She always had the answers. She kind of carried that beach theme with her to her different work sites and it has always been nice to go and having to talk to her about something, and she always had that sunny personality and that will definitely be missed.

"I also want to share that working with Sue, she would be doing different trainings and meetings and she would always talk about "I am wearing this hat" and either it is the IT hat or Worker Compliance hat, and I would always sit there and think of all these hats Sue must be floating around juggling all the time and that is another piece that definitely everybody is going to miss is Sue with all her various hats and roles that she had with us. I just have to say personally, I have been Sue number two since I have started and it is going to be very lonely being the only Sue there. I wish you well with everything and definitely know that we are going to miss you."

Lisa McCafferty, Public Health Director spoke. "Actually it just dawned on me, yes it is Sue one and two. We do not have to do that anymore, but we still have Lisa one and two. I do not know what more to say because Sue two kind of said along the lines of what I was going to say. In the short time I have been here in Tioga County it has been a pleasure working alongside Sue Haskett. She has had a lot of interesting insights to a lot of things, which have occurred in the County and all I will say in that line is she does communicable disease. We had some interesting cases that occurred under her watch.

"The one thing every day when I would see her in my travels throughout the building you always wear such bright colors and it is just always enjoyable to see somebody no matter what time of the year just the super bright colors. Yes, as you heard her office is always decorated with the ocean theme and I just have pictures of Sue hanging out down there by the Jersey shore and lounging and enjoying the ocean, and I envy you that because it has been a while since I have been down that way. Best wishes for your future and it has been a pleasure working with you. Congratulations."

Susan Haskett spoke. "I want to thank all of you and I will see you still because I am still here as Information Security Officer, so I will be still around. Thank you so much. I really appreciate it."

The following recognition resolution for Sharon Ulrich of the County Clerk's Office will just be noted.

There was a unanimous motion for the adoption of the following recognition resolution, seconded unanimously.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO: 233-17 *RECOGNITION OF
SHARON ULRICH'S 17 YEARS OF
DEDICATED SERVICE TO THE TIOGA COUNTY
CLERK'S OFFICE*

WHEREAS: Sharon Ulrich was hired as a Recording Clerk on October 10, 2000, in the Tioga County Clerk's Office; and

WHEREAS: Sharon Ulrich has been a loyal, conscientious, and professional employee in the performance of her duties and responsibilities during the past 17 years in the Clerk's Office; and

WHEREAS: Sharon has always been ready, willing, and able to assist with training new employees and providing a helping hand to whatever task needed to be done; and

WHEREAS: Sharon Ulrich will retire on October 28, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude to Sharon Ulrich for her 17 years of dedicated and loyal service to the residents of Tioga County; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to this outstanding employee, Sharon Ulrich

ROLL CALL VOTE

Unanimously Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED UNANIMOUSLY.

Deputy Chair Weston stated that there are two Proclamations, one on National Arts and Humanities Month in Tioga County, and one on Lead Poisoning Prevention Week, which both will just be noted.

NATIONAL ARTS AND HUMANITIES MONTH OCTOBER 2017

WHEREAS: The month of October has been recognized as National Arts and Humanities Month by thousands of arts and cultural organizations, communities, and states across the country, as well as by the White House and Congress for over 30 years; and

WHEREAS: The arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind; and

WHEREAS: The arts and humanities enhance and enrich the lives of every American; and

WHEREAS: The arts and humanities play a unique role in the lives of our families, our communities, and our country; and

WHEREAS: The nonprofit arts industry also strengthens our national economy by generating \$135 billion in total economic activity annually, \$22.3 billion in government revenue, and by supporting the full-time equivalent of 4.1 million jobs; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim October as

National Arts and Humanities Month in Tioga County, NY

and call upon our citizens to celebrate and promote the arts and culture in our nation and to specifically encourage the greater participation by those said citizens in taking action for the arts and humanities in their towns and cities.

COUNTY OF TIOGA EXECUTIVE PROCLAMATION

WHEREAS: Lead poisoning is a serious, permanent condition that can lead to medical ailments, stunted physical and mental growth, behavioral problems, and developmental delays in children; and

WHEREAS: Lead poisoned children have increased medical costs, educational needs and increased risk for criminal behavior as adults; and

WHEREAS: The goal of New York State's Healthy People 2020 is to eliminate lead poisoning in children; and

WHEREAS: New York State Public Health Law states that all one and two year olds be tested for lead levels to identify poisoned children; and

WHEREAS: Tioga County Public Health works with medical providers and parents to advocate child lead testing to reduce the risk of exposure to lead in the home; and

WHEREAS: Lead poisoning is completely preventable by knowing and eliminating all possible lead sources children may have access to; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of October 22-28, 2017 as

LEAD POISONING PREVENTION WEEK

and urges all residents to take steps to educate themselves, their families, and the community about the importance of lead poisoning prevention.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of September 12 and 21, 2017, seconded by Legislator Hollenbeck, and carried.

Deputy Chair Weston made the following appointment to the Municipal Electric and Gas Alliance Committee (MEGA):

Ellen Pratt – 11/13/17 to 11/12/21

Deputy Chair Weston stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO:	PUBLIC SAFETY COMMITTEE
RESOLUTION NO. 234-17	RESOLUTION HONORING JOHN V. SCOTT, TIOGA COUNTY FIRE COORDINATOR

WHEREAS: The Tioga County Legislature is interested in honoring the memory of long serving Tioga County Fire Coordinator John V. Scott who died on July 20th, 2016 in a motor vehicle accident while working as the Tioga County Fire Coordinator in response to an emergency situation in which the Tioga County Fire and Police radio communications tower was not transmitting due to the loss of electrical power; and

WHEREAS: The Tioga County Legislature recognizes that Tioga County Fire Coordinator John V. Scott served in the Fire Coordinator position for over 20 years; and

WHEREAS: The Tioga County Legislature recognizes that Tioga County Fire Coordinator John V. Scott served as an emergency responder in his role as Tioga County Fire Coordinator. The legislature hereby acknowledges that Tioga County Fire Coordinator John V. Scott in his capacity as Tioga County Fire Coordinator did respond to Fires and Hazardous Materials incidents and actively participated in the suppression of the fires and handling of Hazardous Material Incidents, usually in a leadership Incident Command System (ICS) role. The Tioga County Legislature acknowledges that for those purposes Tioga County Fire Coordinator John V. Scott was issued a Tioga County owned 4 wheel drive SUV equipped with fire and police Radios, red lights and siren, which he used on a 24 hour a day, 7 day per week – 365 days per year basis along with Tioga County issued personal protective equipment consisting of full jacket and pants turnout gear with helmet and boots. The Tioga County Legislature acknowledges that the Legislature was fully aware that the Tioga County Fire Coordinator participated in fire suppression and hazardous materials incidents as a part of his Tioga County Fire Coordinator position; and

WHEREAS: The Tioga County Legislature wishes to see Tioga County Fire Coordinator John V. Scott recognized for his dedicated service to Tioga County by supporting the nomination of Tioga County Fire Coordinator for Federal Public Safety Officer benefits in order that John V. Scott's name can be entered on the National and New York State walls honoring firefighting personnel who die in the line of duty; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the submission of this resolution to the United States Department of Justice Bureau of Justice Assistance for the purpose of supporting the application for benefits for Tioga County Fire Coordinator John V. Scott.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Standinger spoke. "I would just like to say that John Scott provided many years of honorable service and unfortunately his demise was the result of his actions involved in examining an issue with the emergency communications tower. May he rest in peace."

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 235-17 *AUTHORIZE THE SALE OF COUNTY OWNED PROPERTY LOCATED IN THE VILLAGE OF OWEGO TO THE VILLAGE OF OWEGO*

WHEREAS: Property located in the Village of Owego transferred to Tioga County, identified as Tax Map number 118.17-1-1.2, parcel number 1803 owes 2015, 2016 and 2017 taxes and is past the last date of redemption; and

WHEREAS: The County has been approached by The Village Of Owego, who has made an offer to purchase the property for \$1.00 "as is"; be it therefore

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$1.00 and recording costs of \$310.00, a Quit Claim Deed conveying the property transferred to Tioga County, located in the Village Of Owego, identified on the Village of Owego Tax Map as number 118.17-1-1.2, parcel number 1803, to The Village Of Owego or assigns.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 236-17 *SET PUBLIC HEARING 2018 BUDGET*

RESOLVED: That the public hearing on the tentative Tioga County Budget for 2018 be held at 6:00 P.M., Wednesday, November 15, 2017 in the Edward D. Hubbard Auditorium of the County Office Building, 56 Main Street, Owego, New York 13827.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 237-17 TRANSFER OF FUNDS AND JAIL BUDGET MODIFICATION

WHEREAS: Funding for Jail Overtime within the Jail Budget will soon be depleted; and

WHEREAS: It will be necessary to continue to fund Correction Officer Overtime for the remainder of 2017 and unspent funds remain in an expense account within the Jail Budget; and

WHEREAS: Legislative approval is needed to modify the budget and transfer funds between an expense account and a personnel services account; now therefore be it

RESOLVED: That the following funds be transferred to re-appropriate the Jail Overtime account as follows:

From: A3150 540140	Contracting Services	\$ 40,000
To: A3150 510030	Overtime/Other	\$ 40,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 238-17 *TRANSFER OF FUNDS FROM
SHERIFF TO JAIL AND
BUDGET MODIFICATION*

WHEREAS: A budget modification is required for the Full Time line item within the Jail Budget to account for contractual raises agreed upon and enacted within the 2017 fiscal year; and

WHEREAS: The Director of Budget had appropriated surplus funds into the 2017 Sheriff's Full Time line item in anticipation; and

WHEREAS: Legislative approval is needed to modify the budget and transfer funds between departments; therefore be it

RESOLVED: That the budget be modified and the following funds be transferred as follows:

From:	A3110 510010	Sheriff	Full Time Salary	\$ 113,484.00
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To:	A3150 510010	Jail	Full Time Salary	\$ 113,484.00
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ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 239-17 *MODIFY 2017 BUDGET*
EMERGENCY MANAGEMENT

WHEREAS: The Emergency Management Office has made some upgrades to the Emergency Operating Center; and

WHEREAS: The 2017 budget needs to be modified to create a budget line item A3640 520090 for Computer Equipment to pay for such expenses; and

WHEREAS: There are available funds in the EMO A3640 budget to cover said expenses; therefore be it

RESOLVED: That the 2017 budget be modified and budget transfer authorized as below:

Transfer From:	A3640 540220 EMO Automobile Fuel	\$950.00
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Transfer To:	A3640 520090 EMO Computer	\$950.00
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ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 240-17 *BUDGET MODIFICATION/TRANSFER OF FUNDS*
BOARD OF ELECTIONS

WHEREAS: Legislative approval is required for a budget modification and transfer of funds; and

WHEREAS: The part-time Voting Machine Technicians are both new and need additional time to perform their duties, including programming the machines for the General Election on November 7th; and

WHEREAS: The additional funding needed will require a budget modification and transfer of funds; therefore be it

RESOLVED: That the following funds be transferred:

From:	A1450 540143 Election Inspectors	\$10,000
To:	A1450 510020 Part Time/Temporary	\$10,000

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 241-17 TRANSFER FUNDS AND FUND CAPITAL RESERVE ACCOUNT

WHEREAS: The Tioga County Legislature recognizes the importance of County Capital Infrastructure, Equipment, Computer Software and Hardware enhancements, and established funds for such needs in Resolutions No. 320-13 and No. 119-13; and

WHEREAS: The Tioga County Legislature would like to replenish the depleted Capital Reserves through funds it receives from Gaming Casino Revenue as the host county for the Tioga Downs Casino; and

WHEREAS: Tioga County has receipted into the General Operating Fund State Aid Casino Revenue for the period of 12/2016 through 6/2017 in the amount of \$665,874.00 into account A1340 430160; therefore be it

RESOLVED: That the Tioga County Treasurer transfer \$665,874.00 from the General Operating Fund to the Capital Fund; and be it further

RESOLVED: That the Tioga County Treasurer funds the Capital "Land, Equipment, and Infrastructure Reserve" with \$665,874.00 from the Capital Fund balance:

FROM: A1340 430160 State Aid Casino Revenue	\$ 665,874.00
TO: A9950.93-715 Transfer to Capital Fund	\$ 665,874.00
FROM: H5031.00 Interfund Transfer	\$ 665,874.00
TO: H387807 Capital Land, Equipment & Infrastructure Reserve	\$ 665,874.00

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 242-17 RESOLUTION ABOLISHING RABIES DONATION COMMITTEE PUBLIC HEALTH

WHEREAS: Tioga County Public Health, Tioga County Treasurer and the Chair of the Legislative Health & Human Services Committee have determined that the Rabies Donation Committee is no longer needed, as it is not required and has not met in over 18 years; and

WHEREAS: There is written policy for receipted donations, disbursement of funds as well as established criteria and internal controls; and

WHEREAS: Abolishing an existing Committee as well as appointments to a Committee requires Legislative approval; therefore be it

RESOLVED: That the Rabies Donation Committee be abolished and removed from the Committee list.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 243-17 RESOLUTION ABOLISHING COMMITTEE
 PRESCHOOL SPECIAL EDUCATION
 PUBLIC HEALTH

WHEREAS: Tioga County Public Health and the Tioga County Attorney have determined that the appointments to the Committee on Preschool Special Education (CPSE) are not required by resolution; and

WHEREAS: The CPSE Committee is not the responsibility of Tioga County Public Health, rather each individual school district maintains their own; and

WHEREAS: Abolishing an existing Committee as well as appointments to a Committee requires Legislative approval; therefore be it

RESOLVED: That the Committee on Preschool Special Education be abolished and removed from the Committee list.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 244-17 *AUTHORIZATION OF EARLY INTERVENTION
OFFICIAL DESIGNEE
PUBLIC HEALTH*

WHEREAS: Tioga County Public Health (TCPH) provides Early Intervention services; and

WHEREAS: Tioga County resolution #166-17 established the Community Health Program Supervisor as the Early Intervention Official (EIO); and

WHEREAS: TCPH wishes to clarify that the EIO is the one authorized to assign an Early Intervention Official Designee (EIOD) and that this assignment does not require Legislative approval via resolution; therefore be it

RESOLVED: That the Early Intervention Official is authorized to assign the Early Intervention Official Designee status without need of Legislative resolution.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE

RESOLUTION NO. 245-17 *AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM-AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL-AID PROJECT AND APPROPRIATING FUNDS*

WHEREAS: A project for the Day Hollow Road over Foster Creek Bridge Rehabilitation Project, PIN 9754.14 (the "Project") is eligible for funding under Title 23 US Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-Federal funds; and

WHEREAS: The County of Tioga desires to advance the Project by making a commitment of 100% of the Federal and non-Federal share of the costs of the Preliminary Engineering / Design work, Right-of-Way Incidentals work and Right-of-Way Acquisition work;

NOW, THEREFORE, the Tioga County Legislature, duly convened does hereby

RESOLVED: That the Tioga County Legislature hereby approves the above-subject project; and it is hereby further

RESOLVED: That the Tioga County Legislature hereby authorizes the County of Tioga to pay in the first instance 100% of the Federal and non-Federal share of the cost of the Preliminary Engineering / Design work, Right-of-Way Incidentals work and Right-of-Way Acquisition work for the Project or portions thereof; and it is hereby further

RESOLVED: That the additional sum of \$45,500 is hereby appropriated from Day Hollow Bridge Account H5110.540004.H1606 and made available to cover the cost of participation in the above phases of the Project; and it is hereby further

RESOLVED: That in the event the full Federal and non-Federal share costs of the project exceeds the amount appropriated above, the Tioga County Legislature shall convene as soon as possible to appropriate said excess amount immediately upon notification by the New York State Department of Transportation thereof; and it is hereby further

RESOLVED: That the Chair of the Tioga County Legislature be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the County of Tioga with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is hereby further

RESOLVED: That a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is hereby further

RESOLVED: That this Resolution shall take effect immediately.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 246-17 *AUTHORIZE 2018 TAX MAP MAINTENANCE CONTRACT*

RESOLVED: That the Chair of the Tioga County Legislature, hereby is authorized to enter into a Tioga County tax map maintenance contract with MRB Group, for the calendar year 2018 for an annual charge of \$33,000. Payable monthly, which contract will provide for straight transfers, transfer splits, filed maps and surveys, revision forms, tax map revisions, inquiries, contract revision and fee, all subject to the approval of the County Attorney.

of the County's Alternative to Incarceration and Alternative to Detention programming with the provision that the contract is approved by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 248-17 ADOPT LOCAL LAW NO. 4 OF 2017

WHEREAS: A public hearing was held on October 5, 2017, following due notice thereof to consider the adoption of Local Law Introductory No. D of the Year 2017 A Local Law providing for the collection of a hotel and motel tax in Tioga County; and

WHEREAS: It is in the best interests of the residents of Tioga County to adopt such Local Law which will Local Law No. 4 of 2017; therefore be it

RESOLVED: That the following Local Law be and hereby is adopted;

County of Tioga

Local Law No. 4 of the Year 2017.

A Local Law providing for the collection of a hotel and motel tax in Tioga County.

Be It Enacted by the Legislature of the County of Tioga as follows:

SECTION 1: TITLE

This local Law shall be known as the "Hotel/Motel Tax Law"

SECTION 2: PURPOSE

The purpose of this Local Law is to enhance the general economy of Tioga County, its cities, towns, and villages through promotion of tourists, activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 3: DEFINITIONS

HOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

MOTEL - Any facility providing lodging on an over-night basis, and shall include those facilities designated and commonly known as "bed and breakfast" and "tourist" facilities.

OCCUPANCY - The use or possession, or the right to the use or possession of any room in a hotel or motel.

OCCUPANT - A person who, for a charge or any consideration uses, possesses, or has the right to use or possess, any room in a hotel or motel under any lease, concession, permit, right, license, agreement, or otherwise.

OPERATOR - Any person operating a hotel or motel in Tioga County including but not limited to the owner, proprietor, lessee, sub-lessee, mortgagee in possession, licensee, or any other person otherwise operating such hotel or motel.

PERMANENT RESIDENT - A person occupying any room or rooms in a hotel or motel for at least fourteen (14) consecutive days.

PERSON - An individual, partnership, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee, and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination of the foregoing.

RENT - The charge and/or consideration received for occupancy valued in money, whether received money, or otherwise.

RETURN - Any return filed or required to be filed as herein provided.

ROOM - Any room or rooms of any kind in any part or portion of a hotel or motel, which is available for rent or otherwise let out for the lodging of guests.

TREASURER - Tioga County Treasurer

SECTION 4: TAX

A tax in the amount of four percent (4%) of the per diem rental rate for each room occupied, is hereby assessed on all hotels and motels in Tioga County, provided, however, that such tax shall not be applicable to a permanent resident of a hotel or motel.

SECTION 5: EXEMPTION

Such tax shall not be imposed on any transaction, by or with any of the following:

(A) The State of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the dominion of Canada), improvement district or other political subdivision of the State.

(B) The United States of America, insofar as it is immune from taxation;

(C) Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this paragraph.

SECTION 6: REGISTRATION

Within three (3) days after commencing business or opening, every operator shall file with the Treasurer a registration application in a form prescribed by the Treasurer.

SECTION 7: ADMINISTRATION AND COLLECTION

(A) The tax imposed by this local law shall be administered and collected by the Treasurer, or other fiscal officers of Tioga County, by such means and in such manner as other taxes which are now collected and administered by such officers or as otherwise may be provided by such local law.

(B) The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement of charge made for said

occupancy issued or delivered by the operator. The tax shall be paid by the occupant to the operator or to the person entitled to be paid the rent or charge for the hotel or motel occupied for and on account of the County, and the operator or person entitled to be paid the rent or charge shall be liable for the collection and payment of the tax.

(C) The operator or any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this local law, and such operator or person entitled to be paid the rent or charge shall have the same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant, as if the tax were a part of the rent or charge and payable at the same time as the rent or charge; provided, however, that the Treasurer or other fiscal officers, employees or agents specified in this local law, shall be joined as a party in any action or proceeding brought to collect the tax by the operator or by the person entitled to be paid the rent or charge.

(D) The Treasurer may, whenever deemed necessary for the proper enforcement of this local law, provide that the occupant shall file returns and pay directly to the Treasurer, the tax herein imposed.

(E) For the purpose of the proper administration of this local law and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator, except that, where by regulation pursuant to subdivision (d) of this section, an occupant is required to file returns and pay directly to the Treasurer the tax herein imposed, the burden of proving that a rent for occupancy is not taxable shall be upon the occupant.

(F) Where an occupant claims exemption from the tax under the provisions of section five of this local law, the rent shall be deemed taxable hereunder unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that his occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association. Where deemed necessary, the operator may further require that any occupant claiming exemption from the tax furnish a copy of a certificate issued by the Treasurer certifying that the corporation or association therein named is exempt from the tax under section five of this local law.

SECTION 8: RECORDS TO BE KEPT

Every operator shall keep records of every occupancy and of all rent paid, charged and due thereon and of the tax payable thereon, in such form as the Treasurer may require. Such records shall be available for inspection and examination at any time upon demand by the Treasurer or the Treasurer's duly authorized agents or employees, and shall be preserved for a period of not less than three (3) years, except that the Treasurer may consent in writing to their destruction within that period or may in writing require that such records be kept and maintained for a specified period in excess of three (3) years.

SECTION 9: RETURNS

(A) The filing of returns and the payment of the tax shall be paid to the Treasurer on a quarterly basis. Such returns shall be filed within twenty (20) days from the expiration of the period covered thereby. The Treasurer may permit or require returns to be made by other periods and upon such dates as may be specified. If the Treasurer deems it necessary in order to insure the payment of the tax imposed by this local law, the Treasurer may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as may be specified.

(B) The forms of returns shall be prescribed by the Treasurer and shall contain such information as may be deemed for the proper administration of this local law. The Treasurer may require amended returns to be filed within twenty (20) days after notice and to contain the information specified in the notice.

(C) If the return required by this local law is not filed, or a return filed is incorrect or insufficient on its face, the Treasurer shall take the necessary steps to enforce the filing of such return or of a corrected return.

SECTION 10: PAYMENT OF TAX

(A) Upon the time of filing a return of occupancy and of rents, each operator shall pay to the Treasurer the taxes imposed by this local law upon the rents required to be included in such return, as well as other monies collected by the operator acting or purporting to act under the provisions of this local law.

(B) Where the Treasurer, in his discretion, deems it necessary to protect revenues to be obtained under this local law, the Treasurer may require any operator obligated to collect the tax imposed by this local law to file with the Treasurer's office a bond, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as the Treasurer may fix to secure the payment of any tax and/or penalties and interest due or which may become due from such operator.

(C) In the event the Treasurer determines that an operator is to file such bond, notice shall be given by the Treasurer to such operator to that effect specifying the amount of the bond required.

(D) The operator shall file such bond within five (5) days after the issuance of such notice, unless within five (5) days the operator shall serve upon and deliver to the Treasurer a written request for a hearing before the Treasurer at which the necessity, propriety and amount of the bond shall be determined by the Treasurer. Any determination by the Treasurer upon such hearing shall be final and shall be complied with by the operator within fifteen (15) days after the giving of notices thereof.

(E) In lieu of such bond, securities approved by the Treasurer or cash in such amount as may be prescribed, may be deposited which shall be kept in the custody of the Treasurer who may at any time without notice of the depositor apply them to any tax and interest and penalties due, and for that purpose the securities may be sold by the Treasurer at public or private sale without notice to the depositor thereof.

SECTION 11: DETERMINATION OF TAX

If a return required by this local law is not filed, or if a return is incorrect or insufficient, the amount of tax due shall be determined by the Treasurer from such information as may be obtainable and, if necessary, the tax may be estimated on the basis of external indices, such as number of rooms, location, scale of rents, comparable rents, type of accommodations and service, number of employees and/or other factors. Notice of such determination shall finally and irrevocably fix the tax unless the person against whom it is assessed, within thirty (30) days after giving of such notice of such determination, shall apply to the Treasurer for a hearing, or unless the Treasurer of its own motion shall re-determine the same. After such hearing, the Treasurer shall give notice of the determination made to the person against whom the tax is assessed. Any final determination of the amount of any tax payable hereunder, shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty (30) days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the Civil Practice Law and Rules shall not be instituted unless:

(A) The amount of tax sought to be reviewed, with such interest and penalties thereon as may be provided for by local law or regulation shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent

of insurance of this state as to solvency and responsibility, in such amount as a justice of the Supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

(B) At the option of the petitioner, such undertaking may be in a sum sufficient to cover the taxes, interests, and penalties stated in such determination plus the costs and charges which may accrue against such petitioner in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interests or penalties as a condition precedent to the application.

SECTION 12: JUDICIAL REVIEW

(A) Any final determination of the amount of any tax payable hereunder shall be reviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under article seventy-eight of the civil practice law and rules if application therefore is made to the supreme court within thirty days after the giving of the notice of such final determination, provided, however, that any such proceeding under article seventy-eight of the civil practice law and rules shall not be instituted unless:

1. The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for, shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the superintendent of insurance of this state as to solvency and responsibility, in such amount as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

2. At the option of the petitioner such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

(B) Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Treasurer, and he shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under article seventy-eight of the civil practice law and rules, provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such

denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the proper fiscal officer or officers in such amount and with such sureties as a justice of the supreme court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

SECTION 13: PENALTY AND INTEREST

There shall be a penalty for failure to file said return and pay over the tax to the Treasurer on the date due in the amount of ten (10%) per cent of the amount of the tax due plus interest at the rate of one percent (1%) of such tax for each month of delay, excepting the first month after such return was required to be filed or such tax became due.

SECTION 14: LIMITATION OF TIME

Except in the case of a willfully false or fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of the filing of a return, provided, however, that where no return has been filed as provided by law the tax may be assessed at any time.

SECTION 15: RESERVES

In cases where the occupant or operator has applied for a refund and has instituted a proceeding under article seventy-eight of the Civil Practice Law and Rules to review a determination adverse to such occupant or operator on such application for a refund, the Treasurer shall set aside sufficient monies to meet any decision adverse to the County.

SECTION 16: APPLICATION OF FUNDS

All revenues resulting from the imposition of the tax under this local law shall be paid into the treasury of Tioga County and shall be credited to and deposited in the general fund of the County, thereafter to be allocated at the discretion of the County Legislature of the County of Tioga for the purposes of tourism and economic development; provided, however, that the County shall be authorized to retain up to a maximum of five percent of such revenue to defer the necessary expenses of the County in administering such tax. The revenue derived from the tax, after deducting the amount provided for administering such tax, shall be allocated to enhance the general economy of Tioga County, its cities, towns, and villages, through promotion of tourist activities, conventions, trade shows, special events, and other directly related and supporting activities.

SECTION 17: REMEDIES EXCLUSIVE

The remedies provided by sections eleven (11) and twelve (12) of this local law shall be the exclusive remedies available to any person for the review of the tax

liability imposed by this local law; and no determination or proposed determination of tax or determination on any application for refund or credit shall be enjoined, contested or reviewed by any action or proceeding, except by a proceeding under article seventy-eight of the Civil Practice Law and Rules provided, however, that a taxpayer may proceed by declaratory judgment if suit is instituted within thirty (30) days after a deficiency assessment to the Treasurer prior to the institution of such suit and posts a bond for costs pursuant to section twelve (12) of this local law

SECTION 18: PROCEEDINGS TO RECOVER TAX

(A) Whenever any operator or other person shall fail to collect and pay over any tax and/or to pay any tax, penalty or interest imposed by this local law as herein provided, or whenever any occupant shall fail to pay any such tax, penalty or interest, the County Attorney shall, upon the request of the Treasurer bring or cause to be brought an action to enforce the payment of the same on behalf of Tioga County in any court of the State of New York or of any other state or of the United States.

(B) Notwithstanding any other provision of this section, if the Treasurer, in its discretion, believes that any such operator, occupant or other person is about to cease business, leave the state or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, the Treasurer may declare such tax or penalty to be immediately due and payable and may issue a warrant, as provided in this section, immediately.

(C) As an additional alternate remedy, the Treasurer may issue a warrant, directed to the Tioga County Sheriff or to the Sheriff of any other county commanding said Sheriff to levy upon and sell the real and personal property of the operator, occupant, or other person liable for the tax, which may be found within the County for the payment of the amount thereof, with any penalties and interest and the cost of executing the warrant, and to return such warrant to the Treasurer and to pay to the Treasurer the money collected by virtue thereof within sixty (60) days after the receipt of such warrant. The sheriff shall, within five (5) days after the receipt of the warrant, file with the County Clerk a copy thereof, and thereupon such Clerk shall enter in the judgment docket the name of the person mentioned in the warrant and the amount of tax, penalties and interest for which the warrant is issued and the date when such copy is filed. Thereupon the amount of such warrant so docketed shall become a lien upon the interest in real and personal property of the person against whom the warrant is issued. The Sheriff shall then proceed upon the warrant, in the same manner, and with like effect, as that provided by in respect to executions issued against property judgments of a court of record and for services in executing the

warrant the Sheriff shall be entitled to the same fees, which may be collected in the same manner. In the discretion of the Treasurer, a warrant of like terms, force and effect may be issued and directed to any officer or employee of the Treasurer and in the execution thereof such officer or employee shall have all the powers conferred upon by the Sheriff, but shall be entitled to no fee or compensation in excess of the actual expenses paid in the performance of such duty. If a warrant is returned not satisfied in full, the Treasurer may from time to time issue new warrants and shall also have the same remedies to enforce the amount due thereunder as if the County has recovered judgment therefor and execution thereon has been returned unsatisfied.

(D) Whenever an operator shall make a sale, transfer, or assignment in bulk of any part of the whole of a hotel, motel, or lease, or of such operator's business assets, otherwise than in the ordinary course of business, the purchaser, transferee or assignee shall at least ten (10) days before taking possession of the subject of the said sale, transfer or assignment, or paying therefor, notify the Treasurer by registered mail of the proposed sale and of the price, terms and conditions thereof whether or not the seller, transferor or assignor, has represented to or informed the purchaser, transferee or assignee that any tax is owed pursuant to this local law, and whether or not the purchaser, transferee or assignee has knowledge that such taxes are owing, and whether any such taxes are in fact owing.

(E) Whenever the purchaser, transferee or assignee shall fail to give notice to the Treasurer as required by sub-section eighteen (18) (d), of this section or whenever the Treasurer shall inform the purchaser, transferee, or assignee that a possible claim for such tax or taxes exists, any sums of money, property or choses in action, or other consideration, which the purchaser, transferee or assignee is required to transfer over to the seller, transferor or assignor shall be subject to a first priority right and lien of any such taxes theretofore or thereafter determined to be due the seller, transferor or assignor to the County, and the purchaser, transferee or assignee is forbidden to transfer to the seller, transferor or assignor any such sums of money, property or choses in action to the extent of the amount of the County's claim. For failure to comply with the provisions of this sub-section, the purchaser, transferee or assignee, in addition to being subject to the liabilities and remedies imposed under the provisions of article six of the Uniform Commercial Code, shall be personally liable for the payment determined to be due to the County from the seller, transferor or assignor, and such liability may be assessed and enforced in the same manner as the liability for tax under this local law.

SECTION 19: GENERAL POWERS OF THE TREASURER

In addition to the powers granted to the Treasurer by County Law and this local law, the Treasurer is hereby authorized and empowered:

(A) To make, adopt and amend rules and regulations, and to issue orders, appropriate to the carrying out of this local law and the purposes thereof;

(B) To extend for cause shown the time of filing any return for a period not exceeding thirty (30) days; and for cause shown, to remit or waive penalties but not interest; and to compromise disputed claims in connection with the taxes hereby imposed.

(C) To request information from the tax commissioner of the State of New York or the treasury department of the United States relative to any person; and to afford information to such tax commissioner or such treasury department relative to any person, any other provision of this local law to the contrary notwithstanding

(D) To delegate said functions hereunder to any employee or employees of the Treasurer

(E) To prescribe methods for determining the rents for occupancy and to determine the taxable and nontaxable rents

(F) To require any operator within the County to keep detailed records of the nature and type of hotel or motel maintained, nature and type of service rendered, the rooms available and rooms occupied daily, leases or occupancy contracts or arrangements, rents received, charged and accrued, the names and addresses of the occupants, whether or not any occupancy is claimed to be subject to the tax imposed by this local law, and to furnish such information upon request to the Treasurer

(G) To assess, determine, revise and readjust the taxes imposed under this local law

SECTION 20: ADMINISTRATION OF OATHS AND COMPELLING TESTIMONY

(A) The Treasurer, or the Treasurer's duly designated and authorized employees or agents, shall have power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of the Treasurer's powers and duties under this local law.

(B) The Treasurer shall have the power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of his duties hereunder and of the

enforcement of this local law, and to examine them in relation thereto, and to issue commissions for the examination of witnesses who are out of the state or unable to attend before the Treasurer or excused from attendance.

(C) A justice of the Supreme Court, either in court or at chambers shall have power summarily to enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers and documents called for by the subpoena of the Treasurer under this local law.

(D) Any person who shall refuse to testify or to produce books or records or who shall testify falsely in any material matter pending before the Treasurer under this local law shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than one thousand dollars (\$1,000) or imprisonment for not more than one year, or both such fine and imprisonment.

(E) The officers who serve the summons or subpoena of the Treasurer and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts or record, except as herein otherwise provided.

(F) The County Sheriff, the Sheriff's duly appointed deputies, and any officer or employee of the Treasurer designated to serve process under this local law, are hereby authorized and empowered to serve any summons, subpoena, order, notice, document, instrument, or other process to enforce or carry out this local law.

SECTION 21: REFERENCE TO TAX

Wherever reference is made in placards or advertisements or in any other publications to this tax such reference shall be substantially in the following form: "Tax on occupancy of hotel or motel rooms"; except that in any bill, receipt, statement or other evidence of memorandum of occupancy or rent charge issued or employed by the operator, the word "tax" will suffice.

SECTION 22: RETURNS TO BE SECRET

(A) Except in accordance with proper judicial order, or as otherwise provided by law, it shall be unlawful for the Treasurer or any officer or employee of the Treasurer to divulge or make known in any manner the rents or other information relating to the business of the taxpayer contained in any return required under this local law. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Treasurer in an action or proceeding under the provisions of this local law or on behalf of any party to any action or proceeding under this local law

when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby, as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative or a certified copy of any return filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular returns and the items thereof, or the inspection by the County Attorney or other legal representatives of the County of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three (3) years and thereafter until the Treasurer permits them to be destroyed.

(B) Any violation of this section shall be punishable by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment not exceeding one year, or both, in the discretion of the court.

SECTION 23: EFFECTIVE DATE

This local law shall become effective December 1, 2017 and shall remain in effect until November 30, 2020.

SECTION 24: SEVERABILITY

If any provision of this local law or the application thereof to any person or circumstance shall be held invalid, the remainder of this local law and the application of its provisions to other persons or circumstances shall not be affected thereby.

And be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed, pursuant to Local Law No. 4 of 1992, to cause to be published in the official newspapers of the County of Tioga a synopsis of such Local Law, such synopsis to be within ten days after adoption of the Local Law; and be it further

RESOLVED: That the Clerk of the Legislature be and hereby is directed within five days after adoption of such Local Law to cause the Local Law to be filed as required by the Municipal Home Rule Law Section 27.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 249-17 *CONTRACT WITH EMPLOYEE NETWORK, INC. (ENI)
FOR EMPLOYEE ASSISTANCE
PROGRAM*

WHEREAS: Tioga County employees are covered under an Employee Assistance Program (EAP) that is currently administered by Employee Network, Inc. (ENI); and

WHEREAS: ENI, a company that has been providing EAP services for over 30 years and who has other NYS public sector clients, has submitted a proposal to continue providing Tioga County's EAP for 2018 at the current rate of \$1.45/per covered employee per month; and

WHEREAS: ENI can continue to provide up to 8 in-person counseling sessions for eligible employees and members of their household, along with two hours of training per year, and two hours of critical incident stress debriefing; and

WHEREAS: ENI has multiple provider offices within the local region including some in Pennsylvania where employees are able to obtain services; and

WHEREAS: The EAP is a negotiated benefit for CSEA union employees; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with ENI, subject to review by the County Attorney, to administer our Employee Assistance Program for full-time and part-time employees at a cost of \$1.45/per covered employee per month effective January 1, 2018 through December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 250-17 *AUTHORIZE PURCHASE OF SPECIFIC EXCESS AND EMPLOYERS' LIABILITY INSURANCE FOR WORKERS' COMPENSATION PROGRAM*

WHEREAS: The Tioga County Self-Insurance Plan's excess insurance policy and employers' liability insurance policy expire December 31, 2017; and

WHEREAS: The Tioga County Self-Insurance Plan by-laws allow the committee to purchase excess or catastrophic insurance; and

WHEREAS: The continuance of both excess and employers' liability insurance policies help to limit exposure to the Tioga County Self-Insurance Plan; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the purchase of specific excess insurance and employers' liability insurance, subject to review by the County Attorney, from an A- Rated or better insurance company for the period of January 1, 2018 through December 31, 2018 to be paid for out of the 2018 Tioga County Self-Insurance budget.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 251-17 *CONTRACT WITH LIFETIME BENEFIT SOLUTIONS, INC. TO ADMINISTER FLEXIBLE SPENDING AND HEALTH REIMBURSEMENT ACCOUNT PROGRAMS*

WHEREAS: Tioga County currently uses the services of Lifetime Benefit Solutions, Inc. to administer Tioga County's flexible-spending and health reimbursement account programs; and

WHEREAS: Lifetime Benefit Solutions, Inc. has submitted a new contract to continue administering said programs and conduct all required compliance testing services; and

WHEREAS: The Flexible-Spending program is a negotiated benefit for all Tioga County unionized employees; and

WHEREAS: The Health Reimbursement Account is a negotiated benefit for CSEA union employees; and

WHEREAS: Both the employees and the County can save tax dollars on money channeled through the flexible spending program; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature to enter into a contract with Lifetime Benefit Solutions, Inc., subject to review by the County Attorney, for the services stated above for the period of January 1, 2018 through December 31, 2018; and be it further

RESOLVED: That Tioga County will continue with the flexible spending card for the period of January 1, 2018 through December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 252-17 CREATE DEPARTMENT OF
EMERGENCY SERVICES

WHEREAS: Tioga County has historically separated the County Fire services from the Emergency Management Services into two separate Departments; and

WHEREAS: These two departments have been staffed by part-time positions, and consequently some of the emergency response programs are not as adequate as they should be; and

WHEREAS: The County's goal is to have emergency response programs that will provide County residents with outstanding service; and

WHEREAS: The New York State Emergency Management Agency has recommended that Tioga County take measures to improve upon Emergency response programs in order to better prepare the community for future disasters; therefore be it

RESOLVED: That Tioga County hereby creates the Department of Emergency Services effective January 1, 2018, to be led by a full-time Director of Emergency Services and supported by a part-time Deputy Director of Emergency Services and various additional part-time positions; and be it further

RESOLVED: That the Director of Emergency Services shall be appointed by and serve at the pleasure of the County Legislature

ROLL CALL VOTE

Yes – Legislators Huttleston, Weston, Roberts, Standinger and Sullivan.

No – Legislators Hollenbeck and Monell.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 253-17 *CREATE AND FILL TEMPORARY, PART-TIME
CLERK POSITION
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for the creation of any new positions within Tioga County; and

WHEREAS: The Tioga County Treasurer has a need to hire a temporary, part-time Clerk to work during October and November to provide clerical support within the Treasurer's Office; and

WHEREAS: The Treasurer has budgeted funds for this position; therefore be it

RESOLVED: That the County Treasurer is hereby authorized to create and fill one (1) temporary, part-time position of Clerk at the rate of \$11.39/hour effective October 11, 2017 through December 1, 2017.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standinger and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 254-17 *STANDARD WORK DAY AND
REPORTING RESOLUTION*

WHEREAS: The New York State Retirement System created new reporting regulations in 2009 that require establishment of terms and work hours for

elected and appointed officials and a resolution stating such at the onset of each term; therefore be it

RESOLVED: That the County of Tioga hereby establishes the following as standard work days for elected and appointed officials, and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by the following officials to the Clerk of this body;

Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (based on Record of Activities)
Appointed Officials					
Information Security Officer	Susan Haskett	7	03/21/16 – 12/31/17	Y	2.52

I, Maureen L. Dougherty, Secretary/Clerk of the governing board of the County of Tioga, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board at a legally convened meeting held on the tenth day of October, 2017 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the Tioga County Legislature on this tenth day of October, 2017.

Tioga County Legislative Clerk

Affidavit of Posting: I, Maureen L. Dougherty, being duly sworn, depose and say that the posting of the resolution began on October 10, 2017 and continued for at least 30 days. That the resolution was available to the public on the

- Employer's website at www.tiogacountyny.com
- Official sign board at Tioga County Legislative Office.
- Main Entrance Clerk's Office at _____

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, Standing and Sullivan.

No – None.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 255-17 *RESOLUTION TO SUPPORT CORNELL
COOPERATIVE EXTENSION
ASSOCIATIONS IN THE STATE OF NEW YORK*

WHEREAS: The mission of Cornell Cooperative Extension is “CCE puts knowledge to work in pursuit of economic vitality, ecological sustainability and social well-being. We bring local experience and research based solutions together, helping New York State families and communities thrive in our rapidly changing world”; and

WHEREAS: NYS County Law 224 adopted in 1914 established the ability for NYS and County’s to contribute funds to support the creation of Cornell Cooperative Extension Associations in each county and there are now 56 associations across NYS; and

WHEREAS: The key objectives of the associations as stated in their constitutions, are

- To provide for an association of residents in cooperation with Cornell University and USDA.
- To extend educational resources of Cornell (including Ag and Life Sciences, Human Ecology, Vet Med), land grant system, and other educational institutions to foster economic, social, and environmental improvement of individuals families, and communities.
- To further the objectives of CCE associations and the CCE system in the fields of agriculture, community and economic vitality, environment and energy, nutrition and healthy families, and youth development; and

WHEREAS: Cornell Cooperative Extension Associations provide research and experienced based information and programs that are aligned with the primary mission areas of the National Institute of Food and Agriculture and the programs are tailored to meet the needs of local communities in order:

- To strengthen and support gardening, agriculture, and our local FOOD system.
- To improve individual and community nutrition, HEALTH and overall well-being in a healthy environment.
- To provide YOUTH with opportunities to have fun and learn valuable life skills from caring adults; and

WHEREAS: CCE programs are directly linked to a list of 8 of 16 goals of Governor Cuomo's initiatives for improving NYS, and CCE educators are key community partners in helping to implement these initiatives state-wide, including maximizing agriculture and beverage production, strengthening the upstate economy, promoting a healthier NY, fighting poverty, preserving our environment, building opportunity through education, designing a clean energy economy, and investing in tourism; and

WHEREAS: CCE associations are invaluable partners at the County level and NYS expects CCE educators to assist in supporting state initiatives; and

WHEREAS: Costs for operating CCE Associations (501C3 subordinate organizations) have increased significantly yet the annual funding allocated by the state for this system has remained stagnant for more than 17 years; therefore be it

RESOLVED: That the Legislature of Tioga County, requests that NYS allocate an additional \$4 million dollars per year to County Law 224A funding to a total of \$8 million to support Cooperative Extension Associations in NYS.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, and Standing.

No – Legislator Sullivan.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Monell moved to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Huttleston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 256-17 AUTHORIZE POSITION RECLASSIFICATION
COUNTY CLERK

WHEREAS: Legislative approval is required for position reclassification; and

WHEREAS: A part-time Recording Clerk (\$13.32/hour) position has been vacant and funded within the County Clerk's office since May 12, 2015; and

WHEREAS: Upon review of positions within her divisions, the County Clerk has determined that said vacancy would be better utilized within the Department of Motor Vehicles and classified as a part-time Motor Vehicle Examiner (\$12.62/hour); therefore be it

RESOLVED: That the Tioga County Legislature authorizes the reclassification of a vacant, part-time Recording Clerk to Motor Vehicle Examiner effective October 11, 2017 through September 28, 2018; and be it further:

RESOLVED: That said position will be temporary part-time and may be filled provisionally pending the outcome of the civil service examination; and be it further

RESOLVED: That the possible continuation of this position beyond September 28, 2018 shall be analyzed and decided upon prior to that date by the County Clerk and the Administrative Services Committee.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Standinger and Sullivan.

No – Legislator Roberts.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE/LEGAL

RESOLUTION NO. 257-17

*AUTHORIZATION TO ENTER
INTO A RETAINER AGREEMENT WITH NAPOLI
SHKOLNIK, PLLC TO PROVIDE
REPRESENTATION REGARDING OPIOID
LITIGATION*

WHEREAS: The Tioga County Legislature understands that the County may have various viable causes of action under state law against manufacturers, distributors and physicians of prescription opiates arising out of negligent marketing and distribution of opiates in and to the County; and

WHEREAS: The Tioga County Legislature wishes to retain the services of Napoli Shkolnik, PLLC to determine the feasibility of bringing an action against the manufacturers, distributors and physicians of prescription opiates for said negligent marketing and distribution; now therefore be it

RESOLVED: That the Tioga County Legislature hereby authorizes the Legislative Chair to enter into a Special Counsel Agreement with Napoli Shkolnik, PLLC to provide the services set forth in said agreement.

ROLL CALL VOTE

Yes – Legislators Hollenbeck, Huttleston, Monell, Weston, Roberts, and Standing.

No – Legislator Sullivan.

Absent – Legislators Mullen and Sauerbrey.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:19 P.M.

Fifth Special Meeting
October 19, 2017

The Fifth Special Meeting of 2017 was called to order by the Chair at 10:02 A.M. Six Legislative members were present with Legislators Monell, Standinger and Sullivan being absent.

Chair Sauerbrey asked Legislator Hollenbeck to have a moment of prayer. "God Bless the victims from the wildfires in California. Our thoughts and prayers are with them."

Legislator Hollenbeck led all Legislators and those in attendance in the Pledge of Allegiance.

There were five people in attendance.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. -17

AUTHORIZE BACKFILL OF PART TIME
SECRETARY TO PUBLIC DEFENDER

WHEREAS: The Public Defender's office has an immediate need to backfill a part-time secretary position, which will become vacant on October 27, 2017; and

WHEREAS: The Public Defender has identified a qualified candidate who is able to begin employment immediately without impacting office coverage; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the appointment of Amanda Pullano to the vacant part-time Secretary to the Public Defender position effective October 30, 2017, at a non-union hourly rate of \$11.92; and be it further

RESOLVED: That in accordance with the Non-Union Benefits Policy, Ms. Pullano will not receive a salary increase on January 1, 2018, and instead will be evaluated within 6 months in order to determine any salary increase at that time.

Legislator Weston made a motion to have the resolution withdrawn, seconded by Legislator Hollenbeck.

ROLL CALL VOTE TO WITHDRAW RESOLUTION

Yes – Legislators Hollenbeck, Huttleston, Mullen, Sauerbrey, Roberts and Weston.

No – None.

Absent – Legislator Monell, Standinger and Sullivan.

MOTION TO WITHDRAW CARRIED

The meeting was adjourned at 10:04 A.M.

Eleventh Regular Meeting
November 14, 2017

The Eleventh Regular Meeting of 2017 was held on November 14, 2017 and was called to order by the Chair at 12:02 P.M. Eight Legislators were present, Legislator Weston being absent.

Chair Sauerbrey asked Legislator Huttleston to have a moment of prayer. "Let us pray. It is a sad time for our country and other worldwide countries because of the several recent killings and wounding of many innocent persons by shootings and other killing methods done by radical persons, which has a sad and large impact on the affected families, which I ask to be in our prayers and blessings. Also, let us bless and pray and thank our past and current leaders, military forces and law enforcement people in making the many sacrifices to ensure and protect our freedom. Let us pray that all countries and all people will someday be able to live in peace and the entire world will be free of hate, anarchy and terrorism. Thank you Lord for this great country and our freedom, and I ask you to bless this Legislative body, department heads and employees."

Legislator Huttleston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 9 people in attendance.

William Ostrander of the Employee Recognition Committee announced that the Employee of the 3rd Quarter 2017 is Wayne Amendola of the Mental Hygiene Department. "Wayne is not with us yet, but we can go through his biography. Wayne Amendola started working with Tioga County Mental Hygiene, Alcohol and Drug Services on July 28, 2014 as a Certified Alcohol and Drug Counselor and was promoted to his current position of Senior Certified Alcohol and Drug Counselor on August 22, 2016.

"Wayne has many years of experience in the field of addiction, working as a counselor and case manager at several facilities since the late 1990s where he resided in New York City. Wayne has worked with multiple client populations from LGBTQ, HIV, to individuals diagnosed with co-occurring mental health and substance use disorders. Beginning in 1999 Wayne joined Villa Outpatient Treatment Center in Brooklyn, New York as a Counselor/Case Manager. In 2001 he focused on LGBTQ populations at Cornerstone Medical Arts/Pride Institute in New York, New York. In 2002 Wayne took a position as Head Counselor at Bridge Back to Life Center, Inc. in New York City and a Senior Counselor position at Phoenix House in 2003. In 2004 Wayne began working at Day Top Village and by 2009 Wayne excelled in his career at Day Top following successive

promotions to Assistant Clinical Director, only leaving after the facility was closed in 2011.

“Wayne decided to relocate closer to his hometown of Deposit, New York in 2011 and took a position at United Health Services New Horizons as a Dual Diagnosis Counselor and eventually came to work at his current employer in Tioga County. Wayne also holds a position at Industrial Medical Associates where he works part time outside of his employment here. Wayne received his Bachelor of Arts in English Literature and Rhetoric in 1987 from State University of New York at Binghamton. He completed his New York State CASAC education in 2000 and in 2003 he attended Lincoln Medical and Mental Health Center to receive his certification as an Acupuncture Detoxification Specialist.

“Wayne aspires to work in a managerial position and often looks for both personal and professional growth in all he does. When Wayne is not in the office he enjoys antique car restoration and is an avid animal lover.

“None of that is why he is the Employee of the Quarter however. I am going to share with you his nomination and his nomination came from another Department, the Probation Department from Barb Riley and what she said was, Wayne performs the evaluations for substance abuse treatment for inmates at the Tioga County Jail as well as at his office at Tioga County Alcohol and Drug Services. In the current opioid abuse epidemic in Tioga Wayne’s workload has increased significantly. He performs the evaluations efficiently and with compassion.

“As a person who makes referrals to Wayne for those evaluations and needing the information for time sensitive reports to various Courts, I appreciate Wayne’s professionalism and efficiency. Though doing this aspect of his job may not be seen as above and beyond, his efficiency, compassion and thoroughness has an impact on the lives of those in the throes of addiction and of those of us who are also working with those defendants. I believe appreciation for a job well done and done with compassion is what we all should be expressing and recognizing. I hope Wayne’s workload subsides as the opioid crisis is addressed. In the meantime I appreciate his work. That is why he is Employee of the Quarter.”

Wayne Amendola spoke. “I would like to start with does anybody know why the scarecrow was given a promotion? Because he stands out in his field. This is not for me, this is for everybody that I work with at Tioga County. We work fantastically well together, collaboratively because nothing is ever done individual, it is all done as a team effort. I accept this on behalf of everybody that I work with including my superiors. Thank you very very much.”

Lori Morgan, Director of Community Services spoke. "I think there were a few things that were left out about Wayne that his colleagues shared. They say you are a great neighbor, that you take care of stray dogs and cats, that fitness is very important to you, and that you know everything about music from the 70s and 80s. I would like to just say that Wayne is very respected by clients, peers and administration. Wayne has been active in the community also with our coalition. He is many times a panelist at those events. Wayne, when he does attend any of those events, brings passion, knowledge and a friendly face to our agency and to our community we serve. Thank you Wayne."

Chair Sauerbrey stated that there are four Proclamations, Small Business Saturday, Giving Tuesday, Tioga County United Way Month and Adoption Awareness Month. These will be noted in the minutes.

PROCLAMATION
SMALL BUSINESS SATURDAY

WHEREAS: The Tioga County Legislature Supports Small Business Saturday; and

WHEREAS: "On Saturday, November 25, 2017 the Tioga County Legislature will join in supporting America's small business and entrepreneur community by participating in the annual 'Small Business Saturday'. Small Business Saturday plays a key role in driving customer traffic and growing revenue for our 28 million independent businesses during the important holiday retail season. We're also encouraging consumers to 'dine small' by grabbing a bite at a local eatery; and

WHEREAS: On Small Business Saturday in 2016, 112 million shoppers showed their love for their favorite spots and spent a reported \$15.4 billion at small businesses across America; and

WHEREAS: By shopping local and small the majority of the money stays within the community. Small business owners and Main Street businesses are the fabric of our daily lives. They have energy and passion for what they do, and when we support small businesses, jobs are created and local communities preserve their unique culture; and

WHEREAS: Small Business Saturday also provides us an opportunity to honor and celebrate the hardworking men and women that are creating jobs and fueling the economy in our local neighborhoods; now therefore

THE TIOGA COUNTY LEGISLATURE supports and encourages its citizens to participate in Small Business Saturday and support their local small businesses.

**PROCLAMATION
GIVING TUESDAY**

WHEREAS: Giving Tuesday was established as a national day of giving on the Tuesday following Thanksgiving; and

WHEREAS: Giving Tuesday is a celebration of philanthropy and volunteerism where people give whatever they are able to give; and

WHEREAS: Giving Tuesday is a day where citizens work together to share commitments, rally for favorite causes, build a stronger community, and think about other people; and

WHEREAS: It is fitting and proper on Giving Tuesday and on every day to recognize the tremendous impact of philanthropy, volunteerism, and community service in Tioga County; and

WHEREAS: Giving Tuesday is an opportunity to encourage citizens to serve others throughout this holiday season and during other times of the year; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim November 28, 2017 as Giving Tuesday in Tioga County and encourage all citizens to join together to give back to the community in any way that is personally meaningful.

PROCLAMATION

WHEREAS: Tioga United Way continues to service the needs of the community through funding of 34 agencies within Tioga County, benefiting all segments of Tioga County's population; and

WHEREAS: Without this support, these agencies would not be able to continue the support to our community; and

WHEREAS: The goal for the 2018 United Way Campaign is \$210,000; and

WHEREAS: The employees of the Tioga County Government represent a potentially substantial number of contributors for this campaign; and

WHEREAS: The Tioga County Legislature supports the work of the Tioga United Way; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim and designate the month of November

TIOGA COUNTY UNITED WAY MONTH

in the County of Tioga, New York, and call upon all of its employees and all members of the community at large to support this effort.

PROCLAMATION

This November marks the 27th annual National Adoption Month. November 18, 2017 is National Adoption Day. Our task is to find permanent homes for all our children. Tioga County has finalized three adoptions this year so far and has four pending for the remainder of 2017. Every child in America and Tioga County deserves a permanent, loving forever family and home; and

WHEREAS: Tioga County adoptive families serve as a source of love, identity, self-esteem and support for children freed for adoption in Tioga County; and

WHEREAS: Tioga County adoptive families provide a safe and stable home and a nurturing environment where children freed for adoption have the opportunity to live full and productive lives; and

WHEREAS: Accepting responsibility for the care of these children has proven to be very rewarding for many adoptive parents; and

WHEREAS: Numerous public and private agencies work to increase the public's awareness of the needs of children freed for adoption, and the enduring and valuable contribution of adoptive families; and

WHEREAS: It is appropriate to recognize all those in Tioga County who work together on the behalf of children freed for adoption; the adoptive families and the professional staff dedicated to ensuring these children become members of a stable and loving family; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby Proclaim November as

ADOPTION AWARENESS MONTH

in Tioga County and call upon all citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to recognize adoptive families in Tioga County.

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of October 5, 10 and 19, 2017, seconded by Legislator Mullen, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 258-17 APPROPRIATION OF FUNDS
MENTAL HYGIENE

WHEREAS: The Suicide Coalition of Tioga County has received a gift donation; and Tioga County Department of Mental Hygiene is the administrator of these funds; and

WHEREAS: The funding is specifically designated for the purchase of program deliverables; and

WHEREAS: Appropriation of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be appropriated as follows:

From: A4322 427051 Gifts and Donations	\$ 286
To: A4322 540733 Training	\$ 286

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 259-17 *AWARD 2017 EMERGENCY
MANAGEMENT PLANNING GRANT
(EMPG17) AND
MODIFY 2017 BUDGET
EMERGENCY MANAGEMENT*

WHEREAS: The Tioga County Office of Emergency Management has been awarded a grant of \$24,026 by the New York State Office of Homeland Security and Emergency Services; and

WHEREAS: The grant will be used to offset 50% of budgeted operational costs; therefore be it

RESOLVED: That the Emergency Management Office be allowed to accept the awarded 2017 Emergency Management Planning Grant in the amount of \$24,026, and be it further

RESOLVED: That the 2017 budget be modified as follows:

A3640.443050 EMP17 Emergency Management Planning Grant 2017 Revenue
\$24,026

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 260-17 *APPROPRIATION OF FUNDS*
 2017 HOMELAND SECURITY GRANT
 MODIFY 2017 BUDGET
 EMERGENCY MANAGEMENT
 SHERIFF'S OFFICE

WHEREAS: The New York State Office of Homeland Security Program (SHSP) has been awarded a grant of \$69,980 (contract #C973970) to the Tioga County Office of Emergency Management; and

WHEREAS: 75% (\$52,485) of said grant will be appropriated to Emergency Management and 25% (\$17,495) will be appropriated to the Sheriff's Office; and

WHEREAS: Appropriation of funds requires legislative approval; therefore be it

RESOLVED: That the 2017 NYS Homeland Security Grant (contract # C973970) be appropriated as follows:

A3360.433567	SHS17 Homeland Security 2017 Revenue	\$52,485
A3360.540140	SHS17 Homeland Security Grant–Contracting Services	\$52,485
A3361.433567	SHS17 Homeland Security 2017 Revenue	\$17,495
A3361.520230	SHS17 Homeland Security Grant–Radio & Equipment	\$17,495

And be it further

RESOLVED: That the 2017 Emergency Management budget and the Sheriff's Office budget be modified to reflect the above changes.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 263-17 *MODIFY 2017 BUDGET*
EMERGENCY MANAGEMENT

WHEREAS: The Emergency Management Office has need to advertise for job openings; and

WHEREAS: The 2017 budget needs to be modified to create a budget line item A3640 540010 for Advertising to pay for such expenses; and

WHEREAS: There are available funds in the EMO A3640 budget to cover said expenses; therefore be it

RESOLVED: That the 2017 budget be modified and budget transfer authorized as below:

Transfer From:	A3640 540220 EMO Automobile Fuel	\$700.00
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Transfer To:	A3640 540010 EMO Advertising	\$700.00
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ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 264-17 *APPROPRIATE AND MODIFY 2017 BUDGET
TO HOUSEHOLD HAZARDOUS WASTE
ACCOUNT*

WHEREAS: There is a significant increase in the amount of electronic waste being brought by Tioga County residents; and

WHEREAS: Anticipate before year end a revenue surplus of \$9,000 over the budgeted amount; and

WHEREAS: Contingency funds have already been transferred; and

WHEREAS: This increase has caused the budgeted amount to be exceeded for the 2017 Hazardous Waste Program; therefore be it

RESOLVED: That the Tioga County Legislature authorize and appropriate funds from revenue to Household Hazardous Waste Program as follows:

From: B8160 412220 Recycling Fees	\$8,500
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To: B8160 542261 Household Hazardous Waste	\$8,500
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And be it further

RESOLVED: That the 2017 Solid Waste budget be modified to reflect the above changes.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 265-17 TRANSFER OF FUNDS
PUBLIC HEALTH

WHEREAS: Tioga County Public Health (TCPH) has had need for additional Dental Hygienist contractual services in 2017 due to demand of services and a long-term vacancy of a Dental Hygienist; and

WHEREAS: Additional funds are needed for the contractual services; and

WHEREAS: TCPH has the funds available due to the position vacancy, yet requires the transfer of these funds into the appropriate budget lines; and

WHEREAS: Transfer of Funds requires Legislative approval; therefore be it

RESOLVED: That funding be transferred as follows:

From: A4011 510010	Public Health Admin: Personnel	\$ 15,000
To: A4064 540140	Dental Services: Contractual	\$ 15,000

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 266-17 TRANSFER OF FUNDS FOR HVAC CONTROL
SYSTEM AND MODIFY 2017 CAPITAL BUDGET

WHEREAS: The metasys system which controls the HVAC for 1/3 of the Ronald E. Dougherty County Office Building has failed; and

WHEREAS: The Commissioner of Public Works has received a proposal of \$39,030.50 from Johnson Controls Inc. based on NYS OGS pricing to replace the failed system with new controls; and

WHEREAS: Transfer of capital funds and budget modifications require Legislative approval; and

WHEREAS: Public Works has surplus in several other approved capital projects and \$44,000.00 is available to transfer to a new project; therefore be it

RESOLVED: That funding be transferred and the 2017 Capital Budget be modified as follows:

From: H1620.520907	Building/Grounds Facility	\$16,500.00
H1620.520911	Renovations 56 Main Street	\$ 3,000.00
H1621.520923	Standby Generator HHS	\$ 6,500.00
H5130.520938	Low Boy Trailer	\$15,500.00
H5130.521930	Walk Behind Striper	\$ 2,500.00
To: H1620.520926	HVAC Control System	\$44,000.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE/LEGAL
ADMINISTRATIVE SERVICES
INFORMATION TECHNOLOGY

RESOLUTION NO. 267-17 *AUTHORIZE AND FUND
TAX COLLECTION SOFTWARE AND
APPROPRIATE FUNDS FROM
FMAS RESERVE ACCOUNT*

WHEREAS: The Tioga County Legislature recognizes the importance of County Infrastructure; and

WHEREAS: The Treasurer's office, in conjunction with the Real Property and Information Technology Department has conducted a Request For Proposals to replace the County's existing tax and delinquent tax software; and

WHEREAS: The above departments have conducted an evaluation of available options; and

WHEREAS: Allen Tunnel Corporation has been identified as the preferred vendor from "RFP 2017-03 Tax Collection Software"; therefore be it

RESOLVED: That the County Treasurer be authorized to purchase the Allen Tunnel Corporation tax collection software package as specified in their response to "RFP 2017-03 Tax Collection Software" at a cost not to exceed \$290,340 for the software and initial maintenance period of five years; and be it further

RESOLVED: That the following funds be transferred and the 2017 Capital Budget be modified as follows:

From: H387808 Financial Management Reserve Account	\$290,340.00
TO: H1325 520620 Treasurer Capital Software	\$290,340.00

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS

RESOLUTION NO. 268-17 *AWARD BRIDGE PREVENTATIVE
MAINTENANCE PHASE III PIN#9753.99
CONSTRUCTION CONTRACT*

WHEREAS: The Bridge Preventative Maintenance Project Phase III PIN#9753.99 has been placed on the FHWA Program; and

WHEREAS: The project will be funded as follows:

FEDERAL: 80%
State: 15%
Local: 5%

And

WHEREAS: The Commissioner of Public Works received sealed bids for the construction phase of this project on 10/18/2017 and the results were as follows:

R. DeVincentis Construction	Binghamton, NY	\$305,000.00
Bothar Construction, LLC	Binghamton, NY	\$283,717.00
Draper Supply, Inc.	Millerton, PA	\$248,396.78

And

WHEREAS: McFarland Johnson, Binghamton, NY have completed the review of the bids and finds the low bidder Draper Supply, Inc., Millerton, PA meets all of the qualifications of the bid specifications contingent upon NYSDOT's award concurrence; therefore be it

RESOLVED: That the Tioga County Legislature authorize awarding the bid to Draper Supply, Inc., Millerton, PA not to exceed \$248,396.78 to be paid out of Bridge Project account D5110 (org) 540050 (object).

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 269-17 *AUTHORIZE THE SUBMISSION OF
STATEWIDE INTEROPERABLE
COMMUNICATIONS GRANT
(SICG 17) APPLICATION 2017
EMERGENCY MANAGEMENT*

WHEREAS: The Office of Homeland Security has issued a Statewide Interoperable Communications Formula Grant to Tioga County. The grant will be used for upgrading the radio communications in the county; and

WHEREAS: Tioga County protocol is to seek permission prior to submitting said application; therefore be it

RESOLVED: That the Tioga County Emergency Management Office be given authorization to apply for this grant.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 270-17 *AUTHORIZE THE SUBMISSION OF 2018 PSAP OPERATIONS GRANT APPLICATION*

WHEREAS: The NYS Office of Interoperable and Emergency Communications has announced 2018 PSAP (Public Safety Answering Point) Operations grant funding; and

WHEREAS: Applications for this grant are required to be submitted in November of 2017; and

WHEREAS: County Policy #47 requires that a resolution be approved before any such grant application be submitted; therefore be it

RESOLVED: That the Tioga County Sheriff's Office be authorized to submit the appropriate grant application for the purpose of securing this funding, and authorizes the Chair of the Legislature to sign such application.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 271-17 *RESOLUTION URGING THE NEW YORK STATE CONGRESSIONAL DELEGATION TO PRESERVE THE FEDERAL INCOME TAX DEDUCTION FOR STATE AND LOCAL TAXES*

WHEREAS: Congress is giving serious consideration to eliminating the federal income tax deduction for state and local taxes; and

WHEREAS: This deduction, which has been in place for more than 100 years, is heavily utilized by residents of our community and our state; and

WHEREAS: The state and local tax deduction is a fundamental principle of federalism and without it our residents would be faced with double taxation as they would be forced to pay federal income taxes on the taxes they pay to state and local governments; and

WHEREAS: This federal cost shift onto local governments would place extreme pressure on municipal budgets, including diminished revenue for essential local government investments, including public safety and public infrastructure; and

WHEREAS: Increased federal taxation and reduced municipal services will harm our local housing market, decrease home values and erode our local tax base; now therefore be it

RESOLVED: That Tioga County expresses its strong opposition to any tax reform proposal that would eliminate the State and Local Tax (SALT) Deduction and urges U.S. Congressional Representative Thomas Reed and Senator Fred Akshar to join us in publicly opposing any such proposal, and be it further

RESOLVED: That the Legislative Clerk is hereby authorized and directed to communicate the concerns of Tioga County by transmitting certified copies of this resolution to President Donald. J. Trump, United States Senate Majority Leader Mitch McConnell, United States Senate Minority Leader Charles Schumer, United States House of Representatives Speaker Paul Ryan, United States House of Representatives Minority Leader Nancy Pelosi, and the National Association of Counties.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger and Hollenbeck.

No – Legislator Sullivan.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 272-17 *DESIGNATION OF TIOGA COUNTY LOCAL DEVELOPMENT CORPORATION, D.B.A. TIOGA COUNTY TOURISM, AS AUTHORIZED TOURISM PROMOTION AGENCY FOR 2018*

WHEREAS: The Tioga County Local Development Corporation, d.b.a. the Tioga County Tourism Office, is the not-for-profit corporation that develops and implements a tourism promotion and marketing program for the county; and

WHEREAS: The Tioga County Tourism Office coordinates with the state in its tourism grants program; and

WHEREAS: The New York State tourism grants program is designed to encourage tourism promotion throughout the regions of New York State; and

WHEREAS: The guidelines for this local assistance program require counties to appoint an official Tourism Promotion Agency (TPA); therefore be it

RESOLVED: That the Tioga County Tourism Office be and hereby is designated by the Tioga County Legislature as their Tourism Promotion Agency for the 2018 budget year and authorized to make application for and receive grants on behalf of the county pursuant to the New York State Tourism Promotion Act.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 273-17 *AUTHORIZE 2018 CONTRACT EXTENSION
AMENDMENT FOR INMATE MEDICAL CARE*

WHEREAS: The Sheriff's Office contracts with Correctional Medical Care Inc. (CMC); CBH Medical, P.C., and; SM Dental, P.C. to provide medical care to the inmates of the Tioga County Jail; and

WHEREAS: The current contract will expire on December 31, 2017; and

WHEREAS: The Sheriff's Office is desirous to extend the current contract one additional year for an annual fee of \$614,289.96; and

WHEREAS: Funding for this contract will be appropriated in the 2018 budget and the Tioga County Attorney has approved the contract amendment; be it therefore

RESOLVED: That the Tioga County Legislature authorize the contract extension amendment for one year, beginning on January 1, 2018 and expiring on December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 274-17 *AUTHORIZE CONTRACT BETWEEN
TWIN TIER PATHOLOGY
ASSOCIATES, PC, AND TIOGA COUNTY*

WHEREAS: Beginning January 1, 2018 Twin Tier Pathology Associates, PC will provide services for autopsies, laboratory testing, x-rays, and use of morgue facilities for Tioga County; and

WHEREAS: The contract calls for \$875.00 to be paid to Pathologists and various other fees depending on tests, x-rays, etc. that are needed; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Tioga County Chair to sign a contract, upon approval of the County Attorney, with Twin Tier Pathology Associates, PC for services rendered to Tioga County at the costs listed above and for a term of 1/1/18 through 12/31/18.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Standing moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 275-17 APPOINT MEMBERS TO YOUTH BOARD
YOUTH BUREAU

WHEREAS: The Tioga County Youth Board is organized as an advisory body to the Tioga County Youth Bureau; and

WHEREAS: The purpose of the Youth Board is to carry out the provision of Section 95 of the General Municipal Law of the State of New York and Resolution No. 140 of 1981 of the Tioga County Legislature; and

WHEREAS: The Tioga County Youth Board Bylaws provides for representatives to the Youth Board be appointed by the County Legislature; and

WHEREAS: The County Legislature previously appointed members to the Youth Board under Resolution No. 224-17 and vacancies exist; now therefore be it

RESOLVED: That the following listed representatives be appointed as members of the Tioga County Youth Board with the corresponding term of office consistent with the requirement of staggered rotation.

	<u>TERM</u>
Michael Patitucci (Replacing Carter Bryce Jackson)	11/01/17 - 12/31/20
Ryleigh Clark (Replacing Zack Baker)	11/01/17 – 12/31/20

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE

RESOLUTION NO. 276-17 ADOPT STATE EQUALIZATION REPORTS

RESOLVED: That the State Equalization Reports for County Tax be and the same hereby are approved, and that the County tax rates be the rates used in computing taxes in the several Towns.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: ADMINISTRATIVE SERVICES

RESOLUTION NO: 277-17 MORTGAGE TAX DISTRIBUTION

RESOLVED: That the mortgage tax report for the period April 1, 2017 to September 30, 2017 be and it hereby is accepted; further

RESOLVED: That the County Treasurer be authorized and directed to pay to the Supervisors of the several Towns and the Treasurers of the several Villages the amounts apportioned to them as follows:

Barton (Town)	\$ 20,898.39
Berkshire (Town)	6,211.76
Candor (Town)	23,378.33
Candor (Village)	148.28
Newark Valley (Town)	5,811.99
Newark Valley (Village)	2,564.90
Nichols (Town)	9,825.76
Nichols (Village)	2,236.98
Owego (Town)	107,484.84
Owego (Village)	9,096.20
Richford (Town)	6,896.17
Spencer (Town)	15,138.59
Spencer (Village)	2,668.70
Tioga (Town)	18,868.79
Waverly (Village)	<u>15,730.46</u>
	\$246,960.14

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 278-17 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE VILLAGE OF CANDOR
TO CHAD ROSE & ATHENA HOLLARD*

WHEREAS: Property located in the Village of Candor assessed to William McAvoy, identified as Tax Map number 61.09-1-5, parcel number 274, owes 2015, 2016 & 2017 taxes and is past the last date of redemption; and

WHEREAS: Brandon S. Baird was the closing bidder with \$4,600 deposit paid at the Foreclosure Auction held on August 10, 2017 and has defaulted by not appearing at closing with forfeiture of the \$4,600 and the second bidder passed on buying said property; and

WHEREAS: The Treasurer has held a Public Auction on November 1, 2017 and the winning bidder is Chad Rose & Athena Hollard, hereby making an offer to purchase said property for \$500, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the County rescinds its previous resolution to sell said property to Brandon S. Baird, the closing bidder with \$4,600, paid at the Foreclosure Auction held on August 10, 2017, by Default of Appearance at closing, with forfeiture of the \$4,600; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$500 and recording costs, a Quit Claim Deed conveying the property assessed to William McAvoy located in the Village of Candor identified on the Village of Candor Tax Map as number 61.09-1-5, parcel number 274, to Chad Rose & Athena Hollard and/or assigns.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 279-17 *AUTHORIZE THE SALE OF COUNTY OWNED
PROPERTY LOCATED IN THE TOWN OF CANDOR
TO THOMAS D. DARPINO & DEBORAH A. DARPINO*

WHEREAS: Property located in the Town of Candor assessed to Harold R. Vrabel, identified as Tax Map number 62.00-1-17.111, parcel number 610, owes 2015, 2016 & 2017 taxes and is past the last date of redemption; and

WHEREAS: Anthony Huizinga was the closing bidder with \$7,100 deposit paid at the Foreclosure Auction held on August 10, 2017 and has defaulted by not appearing at closing with forfeiture of the \$7,100 and the second bidder passed on buying said property; and

WHEREAS: The Treasurer has held a Public Auction on November 1, 2017 and the winning bidder is Thomas D. Darpino & Deborah A. Darpino hereby making an offer to purchase said property for \$45,000, "as is", thereby placing the property back on the tax rolls; be it therefore

RESOLVED: That the County rescinds its previous resolution to sell said property to Anthony Huizinga, the closing bidder with \$7,100, paid at the Foreclosure Auction held on August 10, 2017, by Default of Appearance at closing, with forfeiture of the \$7,100; and be it further

RESOLVED: That the Chair of the Tioga County Legislature be and hereby is authorized to sign and record on receipt of \$45,000 and recording costs, a Quit Claim Deed conveying the property assessed to Harold R. Vrabel located in the Town of Candor identified on the Town of Candor Tax Map as number 62.00-1-17.111, parcel number 610, to Thomas D. Darpino & Deborah A. Darpino and/or assigns.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE
LEGISLATIVE WORKSESSION

RESOLUTION NO. 280-17 *AMEND EMPLOYEE HANDBOOK SECTION IV
PERSONNEL RULES, SUBSECTION C:
"ORIENTATION/EXIT
INTERVIEW/RECRUITMENT/RETIREMENT"*

WHEREAS: The eligibility criteria in Section IV.B of the Orientation /Exit Interview/Recruitment/Retirement policy was established prior to the adoption of the 25 year retirement plan for Corrections Officers and Deputy Sheriff's; and

WHEREAS: As currently written, someone retiring with 25 years of service under The Special Plan would not necessarily qualify to carry health insurance into retirement due to the age criteria; and

WHEREAS: It is not the County's intention to preclude the Correction and Road Patrol staff from carrying health insurance into retirement; therefore be it

RESOLVED: That paragraph B.1 of the policy be replaced with the following:

"Any full-time employee, elected official or Legislator who retires from Tioga County directly into the NYS Employee and Local Retirement System shall be entitled to a health insurance benefit in accordance with the following criteria:";

and be it further

RESOLVED: That the remainder of the policy is unchanged.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 281-17 *AMEND RESOLUTION 176-94*
MEDICARE REIMBURSEMENT

WHEREAS: Current eligible retirees receive reimbursement of their Medicare Part B premiums; and

WHEREAS: In recent years, Medicare has established different premiums based on different qualifying criteria, making administration of the reimbursement program far more challenging; and

WHEREAS: The County is interested in honoring the commitment to provide the reimbursement but needs to find a way to streamline the process; therefore be it

RESOLVED: That effective February 1, 2018 – January 31, 2021, the amount current eligible retirees will receive as reimbursement shall be the average of all 2017 rates indicated by Medicare, which is \$115; and be it further

RESOLVED: That said average rate shall be reviewed every 3 years for possible adjustment; and be it further

RESOLVED: That this resolution shall amend Resolution 176-94 only as to the Medicare reimbursement portion of said Resolution.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 283-17 *AUTHORIZE 2018 CONTRACTS WITH SADD
SCHOOL ASSOCIATES*

WHEREAS: It is the desire of the STOP DWI Program to arrange five contracts with SADD School Associates which are defined as Independent contractors not entitled to County Employee benefits; and

WHEREAS: It is the desire to contract with the following five SADD School Associates for the calendar year 2018; Aria French to serve the Candor School District; Matthew Cicchetti to serve the Newark Valley School District; Joan Beck to serve the Owego Apalachin School District; Britney Eley to serve the Spencer Van Etten School District, and Janice Barto to serve the Tioga Central School District; and

WHEREAS: Each SADD School Associate will be compensated \$100 each month for the ten months of the school year, but will not exceed \$1,000 for the year; and

WHEREAS: The Tioga County Attorney has approved the agreement that defines the rights and responsibilities of all the parties involved and outlines the compensation to be paid to the STOP DWI School Associates; therefore be it

RESOLVED: That these contracts for SADD School Associates be authorized for the 2018 calendar year.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell made a motion to have the following late-filed resolutions considered, seconded by Legislator Hollenbeck and carried.

Legislator Roberts moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PUBLIC WORKS COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 284-17 *AUTHORIZE POSITION RECLASSIFICATION
PUBLIC WORKS*

WHEREAS: Legislative approval is required for position reclassification; and

WHEREAS: On September 26, 2017, the Personnel Department received a position description questionnaire from Keith French, Maintenance Mechanic I (CSEA grade 5, \$16.088/hr), who works within the Building and Grounds unit of the Public Works Department; and

WHEREAS: A desk audit resulted and involved the review of work tasks performed by Mr. French in comparison to the Maintenance Mechanic classification levels; and

WHEREAS: Due to the type of work assigned to and performed by Mr. French which routinely involves two skill trades, the Personnel Officer has determined justification exists to classify Mr. French as a Maintenance Mechanic II (CSEA grade 4, \$16.768/hr); therefore be it

RESOLVED: That the Tioga County Legislature authorizes the reclassification of the Maintenance Mechanic I position currently filled by Keith French to Maintenance Mechanic II and that Mr. French shall receive an increase of \$0.68 to his current hourly rate effective retroactive to September 26, 2017.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PERSONNEL COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 285-17

*AUTHORIZE APPOINTMENT OF
ACCOUNTANT
TREASURER'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The position of Accountant became vacant on September 29, 2017, within the Treasurer's Office; and

WHEREAS: The Treasurer has conducted a recruitment search and has identified a qualified candidate; therefore be it

RESOLVED: That Jackson Bailey is hereby provisionally appointed to the title of Accountant, pending successful completion of civil service examination requirements, at an annual, non-union salary of \$45,000 effective November 27, 2017; and be it further

RESOLVED: In accordance with Section IV(k) of the Tioga County Employee Handbook, Mr. Bailey shall not receive a salary increase on January 1, 2018, and instead will be evaluated after six (6) months in order to determine if eligible for a salary increase at that time.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 286-17

*SUPPORTING SPECIAL LEGISLATION
RETROACTIVELY ENROLLING DARYL
WILLIAMS IN A NEW YORK STATE RETIREMENT
PLAN ESTABLISHED PURSUANT TO SECTION
551 AND AUTHORIZING PAYMENT OF
ADDITIONAL RETIREMENT CONTRIBUTIONS*

WHEREAS: Tioga Sheriff Deputy Daryl Williams was employed by the Tioga County Sheriff's Department before retiring in 2009; and

WHEREAS: As of 2001 Daryl Williams should have been enrolled in a 25 year retirement plan established under Retirement and Social Security Law Article 14-b section 551 pursuant to the terms of a collective bargaining agreement negotiated between Tioga County and the Tioga County Law Enforcement Union which represented Daryl Williams; and

WHEREAS: Through no fault of his own Daryl Williams was enrolled in a 25 year retirement plan established under Retirement and Social Security Law section 89-p; and

WHEREAS: The 89-p plan does not provide Mr. Williams with the same benefits he would have been entitled had he been enrolled in the correct retirement plan; and

WHEREAS: Daryl Williams may be retroactively enrolled in the correct plan as a result of special New York State legislation with Tioga County agreeing to be responsible for the additional retirement plan contributions which would have been made had he been enrolled in the section 551 plan; and

WHEREAS: Tioga County is committed to making the financial contribution which would be required in order to retroactively enroll Daryl Williams in the section 551 retirement plan rather than his current plan; therefore be it

RESOLVED: That Tioga County supports special legislation retroactively enrolling Daryl Williams in a retirement plan pursuant to section 551 and asks that its local representatives in the New York State Assembly and Senate sponsor such legislation; and be it further

RESOLVED: That upon Daryl Williams being approved for enrollment in a section 551 plan, Tioga County is authorized to make such additional contributions for past service credit to the New York State Retirement System as may be required for such retroactive enrollment.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standing, Sullivan, and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO:

LEGISLATIVE COMMITTEE

RESOLUTION NO. 287-17

AUTHORIZING THE CREATION OF A TRAFFIC SAFETY DIVERSION PROGRAM IN THE DISTRICT ATTORNEY'S OFFICE, AUTHORIZING THE SALARY OF THE FIRST ASSISTANT DISTRICT ATTORNEY AND THE THIRD ASSISTANT DISTRICT ATTORNEY AND MAKING APPROPRIATIONS RELATED TO TIOGA COUNTY TRAFFIC SAFETY DIVERSION PROGRAM

WHEREAS: The District Attorney's Office has made presentations to the Legislature, as well as appropriate Standing committees regarding the inception of a Tioga County Traffic Safety Diversion Program; and

WHEREAS: The Tioga County Traffic Safety Diversion Program will be monitored and administered in the District Attorney's Office, which are not among the current duties and responsibilities of the Office and will result in more work for the First Assistant District Attorney and Third Assistant District Attorney and the Office, requiring adjustments to the position salaries to compensate for said additional work and duties; and

WHEREAS: The program is principally intended to serve public safety rather than generate revenue and a portion of the proceeds derived from the program, if any, will be distributed to local justice courts on a periodic basis (e.g., semi-annually) to offset expenses resulting from the Traffic Safety Diversion Program with the amount of said disbursements being determined by the District Attorney with the consultation of the County Legislature and with said program being reviewed on an annual basis to assess its effectiveness, disbursements and fee structure; and

WHEREAS: Legislative approval is required to authorize the salary of an appointment to a position designated as non-union; and

WHEREAS: In order to initiate the program, it is necessary that a related budget be established; now therefore be it

RESOLVED: That in order to effectuate the government, protection, order, conduct, safety, health and well-being of persons and property within the County pursuant to Home Rule Law §10, Tioga County establishes a Traffic Safety Diversion Program; and be it further

RESOLVED: That the position of 1st Assistant District Attorney is established at an annual, non-union salary of between \$70,233– 80,233, effective January 2, 2018; and be it further

RESOLVED: That the position of 3rd Assistant District Attorney is established as a full time position at an annual, non-union salary of between \$56,876 – 66,876, effective January 2, 2018; and be it further

RESOLVED: That the Tioga County Treasurer be and hereby is authorized to create accounts for the District Attorney's Traffic Safety Diversion Program; and be it further

RESOLVED: That in the event any portion of the program shall be declared unenforceable, the remaining balance of the program shall be in full force and effect.

ROLL CALL VOTE

Yes – Legislators Huttleston, Monell, Mullen, Sauerbrey, Roberts, Standinger, Sullivan and Hollenbeck.

No – None.

Absent – Legislator Weston.

RESOLUTION ADOPTED.

The meeting was adjourned at 12:25 P.M.

Public Hearing
2018 Budget
November 15, 2017

The Public Hearing on the 2018 Budget was called to order by the Chair at 6:01 P.M. Five Legislative members were present, Legislators Monell, Roberts, Sullivan and Weston being absent.

There were 10 people in attendance along with Budget Officer Rita Hollenbeck.

The Clerk read the legal notice as published in the official newspapers.

Rita Hollenbeck, Budget Officer gave the 2018 budget presentation.

“Honorable Members of Tioga County Legislature and the Citizens of Tioga County I present to you the proposed tentative County budget for 2018. Department Heads and the Legislature have the common goal of holding the line on spending while delivering cost effective essential services to our residents. The 2018 budgeted expenses proposed are \$78,830,406.00, a 1.69% increase over the prior year. Budgeted revenues proposed are \$52,568,679.00, a 2.43% increase.

“The 2018 proposed budget recognizes a few new or expanded programs. These include a Traffic Diversion Program, Enhanced GIS Mapping, Emergency Management, Veterans' Services, and a much needed Medical Director optimizing our treatment and defense in the fight on the ever growing heroin/opioid epidemic. This epidemic has fiscally impacted almost every area of the County's budget and it goes without saying the horrific effect it has in our communities and on our residents' daily lives.

“The 2018 budget largest increases in revenue were in sales tax, fees for service in Mental Health and Drug and Alcohol, and gaming revenue. The actual deficit between expenditures and revenues is \$26,261,727.00. The County tax levy plus \$2,611,727.00 in appropriated fund balance is needed to bridge the gap. That equates to \$415,185.00 less reliance overall in fund balance. An additional \$1,054,643.00 is appropriated from the general fund balance, a 60% increase over the prior year.

“Specific revenue intake, primarily casino funds, called for prudent management to ensure the County remains fiscally sound. A good portion of these revenues in 2017 had been reserved in order to fund the County's five year capital plan and the five year Information Technology plan. Additional

sources of revenue are tied to either competitive state grants or fluctuate and cannot be depended on. A prime example of this was the major drug arrests in Tioga County that impacted local jail revenue. One major event negatively impacted both this revenue source for boarding inmates as well as drove other costs up for the jail and several county departments.

“The 2018 budget increases Solid Waste (Recycling) by 7.67% or \$86,173.00. The total annual cost is \$1,209,864.00. The increase is attributed to contracted services for recycling curbside pickup, which is renewed every three years. The same level of services shall be maintained for the next three years.

“The 2018 budget brings significant increases in salaries and employer paid benefits. Average salary increases were 3% and employer paid benefits, which include retiree costs, increased by 9.33%. The largest increase was in health insurance and New York State Retirement. Negotiated collective bargaining agreements impacted salaries and contributed to a significant retroactive pension bill. 90% of County services and associated costs are mandated and the New York State Retirement bill is just one of those mandates.

“At present additional unfunded mandates continue to trickle down each year with most recent legislation for Raise the Age, Indigent Legal Services, and the District Attorney salary. Deficit budgeting will lead to additional borrowing or cutting essential non-mandated services. Forecasting of financial historical trends predicts insufficient fund balances to continue operations while staying within the State imposed State tax cap in the near future. We are not alone as many other government and school entities face the same constraints.

“Local efforts in Economic Development, the prior efficiency plan, the conservative approach to spending and aggressively pursuing additional revenue sources have already saved taxpayers money, contained costs, created more jobs, all while delivering cost effective services.

“One more recent mandate is the new shared services plan. The committee is made up of representatives from all governing bodies in the County. They have diligently strived to find better ways of conducting government operations and value the communities' participation and ideas. In the coming year a culmination of these ideas will be presented and a few feasible ones will be implemented. Mutual cooperation and sharing resources, our County, Towns and Villages already have been engaging in for years. The Tioga County Council of Governments has been in place long before this mandate. Putting the people, pieces and plan together under the guidelines of this new mandate is a laborious undertaking and would be without merit unless it can actually save taxpayers money.

"Tioga County continues to share sales tax with the Towns and Villages. Some counties have needed to reduce this distribution or eliminate it all together to help balance their own budgets. We estimate distributing over \$4,950,000.00 in the 2018 budget. The County continues funding 18 outside agencies at a local cost of \$984,363.00. In addition, in 2018 is a contribution to the upcoming Visitor Center.

"2018 marks the seventh consecutive budget year Tioga County has stayed under the State imposed property tax cap. The seven year average increase in the tax levy is 1.64%. The 2018 tax levy will increased by a true 2% from 2017. This equates to a \$464,630.00 allowance. We will have minimal rollover funds moving into the 2019 budget year. The County general fund tax levy for 2018 is \$22,440,136.00. Solid Waste (Recycling) tax levy is \$1,209,864.00. The total combined tax levy is \$23,650,000.00.

"The Composite tax rate is \$9.09 per \$1,000 of taxable value. The average home assessed at \$100,000 will pay \$909.00 in County taxes and see their tax bill increase by roughly \$10.00 from the prior year. Tax rates will vary from town to town due to the State established equalization rates and the Town's apportionment percent.

"I would like to thank the County Legislature, department heads and all County employees for their participation in the annual budget process. These dedicated, outstanding, professional public servants are the lifeline to County operations. Special recognition and thanks goes out to Public Works for their efforts in streamlining the capital budget requests and for their added expertise.

"The proposed tax levy cannot be increased after tonight's hearing without an additional public hearing. If you have any comments to present to the Legislature regarding the proposed budget the floor is now open.

The Budget Officer presented a slide presentation on budget brief specifics.

There being no comments, the hearing was adjourned at 6:29 P.M.

Twelfth Regular Meeting
December 12, 2017

The Twelfth Regular Meeting of 2017 was held on December 12, 2017 and was called to order by the Chair at 6:00 P.M. Eight Legislators were present, Legislator Mullen being absent.

Chair Sauerbrey asked Legislator Monell to have a moment of prayer. "Lord, we thank you for this another time that we can meet together to discuss and take care of the business of this County. We thank you for the people that are here. We pray Lord that you would guide us as we do the things that we need to do to make our County a better place to live. We pray that you would be with all these people as they depart from here tonight, bring everyone home safely."

Legislator Monell led all Legislators and those in attendance in the Pledge of Allegiance.

There were approximately 60 people in attendance.

Chair Sauerbrey stated that there are three Proclamations, National Influenza Vaccination Week, Pearl Harbor Remembrance Day, and Owego Girls Volleyball Team. The first two will not be read and will be noted in the minutes. The third Proclamation regarding the Girls Volleyball Team will be read.

County of Tioga
EXECUTIVE PROCLAMATION

WHEREAS: Flu is a contagious viral respiratory infection of the nose, throat, and lungs that can infect all people regardless of their age or health status; and

WHEREAS: Annually, 9 to 35 million US citizens become ill with it, and 12 to 56 thousand die from it; and

WHEREAS: People with weakened immune systems or an inability to get the flu vaccine need to avoid getting the flu; and

WHEREAS: The most effective way to prevent flu illness is to get a flu vaccine; and

WHEREAS: Flu vaccines are tested, proven safe, and are recommended for people over 6 months old, including pregnant women; and

WHEREAS: Tioga County Public Health reminds people that a flu vaccine now is still beneficial since flu season continues for 5 more months; therefore

The TIOGA COUNTY LEGISLATURE, County of Tioga, does hereby proclaim the week of December 3 - December 9, 2017 as:

NATIONAL INFLUENZA VACCINATION WEEK

and encourages all of us to receive the flu vaccine, encourage others to get the vaccine, and to be knowledgeable so that we can dispel myths and provide correct education.

PEARL HARBOR REMEMBRANCE DAY

WHEREAS: December 7, 2017, marks the 76th anniversary of the attack on the United States at Pearl Harbor, Hawaii; and

WHEREAS: On December 7, 1941, a military assault took place at the U.S. Naval Base at Pearl Harbor, Hawaii, that claimed the lives of over 2,400 soldiers and citizens and injured over a thousand additional people, and caused the destruction of twenty American naval vessels including 8 battleships of the U. S. Pacific Fleet and over 300 airplanes; and

WHEREAS: President Franklin Delano Roosevelt famously proclaimed December 7, 1941, as a "date which will live in infamy," and it has stood as a solemn day of tribute ever since; and

WHEREAS: One day later, on December 8, 1941, President Roosevelt requested of Congress the power and authority to declare war on Japan, and that day after the attack on Pearl Harbor, the United States of America was officially thrust into World War II; and

WHEREAS: Reflecting on the loss of human life and the ruination of the Pearl Harbor Base that day serves as a stark reminder of the exceptional service and selfless sacrifice of our armed servicemen and women, who risked their lives and personal safety to shield our nation from harm and preserve our nation's founding values and liberties; and

WHEREAS: Today we pause in commemoration of those who fought and died on December 7, 1941, especially remembering Seaman Delmar Dale Sibley of Owego who is still aboard the USS Arizona, and we honor their bravery and final sacrifice; and

WHEREAS: Four from Tioga County survived including 96-year-old Army Air Corps Private First Class Army Mechanic Bill Kennedy of Owego and three now deceased survivors U.S. Marine Machine Gun Crewman Lester Dunham of Owego, Army Sergeant Donald Stocks of Owego, and Army Sergeant Richard Hopkins of Berkshire, later recipient of the Bronze Star for meritorious service on the front lines of Guadalcanal; and

WHEREAS: We are profoundly grateful for members of our nation's military and their families, who freely risk all for the good of others; now therefore

THE TIOGA COUNTY LEGISLATURE does hereby proclaim December 7, 2017 as PEARL HARBOR REMEMBRANCE DAY and throughout Tioga County encourage all to remember the exceptional service of our nations' Veterans.

Legislator Sauerbrey read and presented the following Proclamation regarding the Owego Girls Volleyball Team.

PROCLAMATION

WHEREAS: The Tioga County Legislature is extremely proud of all School Districts and appreciate the value that schools bring to our communities; and

WHEREAS: The Legislature is equally proud of our young people and recognize the students that participate in programs that build character through extracurricular activities and specifically sporting events; and

WHEREAS: Student-athletes can establish a strong foundation upon which they can go on to lead extraordinary lives; and

WHEREAS: The Tioga County Legislature would like to congratulate and applaud the Owego Free Academy Girls Volleyball Team as they won the New York State Class B Volleyball Championship for the third time in five years on Sunday, November 19, 2017 against Hudson Falls; and

WHEREAS: The Owego Free Academy Girls Volleyball Team members are: Mackenzie Struble, Kaylee Kelly, Makenna Boehme, Eevee Coleman, Brinn Shaughnessy, Paige Taylor, Sara Zepkowski, McKenzie Hart, Shannon Heffernan, Grace Thomas, Ruby Coleman, Taylor Aubel, Annika Kinney, Bianca DeVita under the leadership of Head Coach Brittney Race and Assistant Coaches Breanna Horton, Pam Horton, Erica Darpino and Kayla Snyder; now therefore

WHEREAS: Frank will leave his post as Tioga County Fire Coordinator on December 31, 2017; therefore be it

RESOLVED: That the Tioga County Legislature, on its own behalf, as well as on behalf of the citizens of Tioga County, express sincere gratitude and recognize Frank R. Okrasinski, Jr. for his years of dedicated service to Tioga County and especially his last two years as Tioga County Fire Coordinator; and be it further

RESOLVED: That this resolution be spread upon the minutes of this meeting and a certified copy be presented to Frank R. Okrasinski, Jr.

ROLL CALL VOTE

Unanimously Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED UNANIMOUSLY.

Legislator Standinger spoke. "That being said, I have worked with Frank on the Fire Investigation Team for a number of years and I will say that he is very enthusiastic and certainly dedicated, and that is indicated by the number of firemen that are in the room today. Thank you Frank."

Chair Sauerbrey spoke. "Frank and I have known each other a long time and most certainly in the last couple of years when he had to pick up the full time job and squeeze it inside of a part time schedule. He also had to pick up this interoperable grant, which at the time was a nightmare and every once in a while he would call me up and tell me how much fun he was having doing that. I told Frank we are going to do a normal Proclamation and yes it will be pretty ho hum, but can you share some stories, so I am going to read you what he wrote, not what I made up.

"April 1976 I joined the Southside Fire Company because my neighbor had a grass fire. I went to see if I could help and they invited me to join. My first real job at the fire station was to flush toilets every time I went there. A lack of use was causing the well to seal up and Chief Klett thought I could handle that detail. In November 1983 Ed Valentine thought I should join the Fire Investigation Team, one meeting, one training and maybe two fires a month. In 1987 he became the Fire Chief of Southside Owego, that lasted until 2011. During that time he was employed by the office of Fire Prevention and Control as a hazardous materials specialist.

"In 1993 he became a Senior Investigator and Ed was reassigned to do private investigations and this is when he first met John Scott and it was interesting because John was the Fire Commissioner for the Town of Owego, so at the fire station John was his boss and at a fire scene he was the boss. The results of a fire investigation in Lockwood, New York had him testify in a civil case in New York City. It was an interesting case over a box fan that resulted in the remanufacturing of those fans afterwards. A ride to the City on the train and the subway with files and 35-mm slides is something he will never forget. Needless to say this man has had a colorful career and being around him is an experience let me tell you. We hate to say goodbye, but we want to say thank you Frank."

Frank Okrasinki spoke. "First of all, ladies (volleyball team) awesome and remember if your job is to flush the toilets look where you end up. Thank you for the honor, it is kind of embarrassing and humbling and all that stuff. The best part of this whole job was those mentors that guided me along. We already talked about some of them, Bob Butterfield and Ken Wolfe, of course Ed Valentine, some guy named Leroy Kemp, Gary Howard even and of course John Scott, and then again the partners I had, Debbie Stubecki and Steve and Connie Fedorowicz, Kevin, Larry, Dave Churchman, and those guys in the back, the Fire Chiefs who in the middle of the night made sure I had coffee and pizza, and Stromboli. Those are the guys that really are the Bureau of Fire, those are the guys that really make it happen.

"We had a lot of good times, we had some really bad times, and it is those guys that made the bad times, when John was out of town and we had the incident with Matt Pocari, those are the guys who made everything happen and nobody knew how bad it hurt. The last 18 months have really been interesting. This tower job is really really, I learned a lot about paperwork. I learned a lot to make sure that Maureen gets her papers on time. It was a tribute to John. It was also permanent improvement for the whole County and it did not cost the County a whole lot.

"I am certainly going to miss dispatch, I am going to miss the calls in the middle of the night telling me the radio tower at Popple is not working. I say okay, thank you, why did you call, well so you know, but the guy is already fixing it, so you called me to tell me this, okay, thank you, could not wait until tomorrow morning when I was awake. The fire departments, the independent squads in the County that take care of all you people, and it is really good. The one thing I am grateful for of course is my association with the fire and EMS people in Tioga County and it has helped my family become a caring part of the community also. My daughter is in the fire department, my grandson, 15-

year-old, he joined the Baldwinsville Fire Department now. He looks funny in his turnout gear.

"At the bottom of the pile you always get the good quality equipment okay. I had to share a pair of boots with somebody else when I first started, think about it girls at least you did not have to share boots. Evan James, like I said he has joined the volunteer department up in Baldwinsville and I am pretty sure Caleb is going to be running things too when he gets a little bit older. I believe that the sacrifice that these deputy coordinators and our families made truly make Tioga County a great place to live and thank you very much for this I really appreciate it."

There was no privilege of the floor.

Legislator Monell made a motion to approve the minutes of November 14 and 15, 2017, seconded by Legislator Sullivan, and carried.

Chair Sauerbrey stated that all Legislative Committees met this month and the minutes are or will be on file with the Clerk of the Legislature.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Roberts.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 289-17 INCREASE RATE PAID FOR
AUTOPSY CASES

WHEREAS: Resolution No. 322-05 set a rate for autopsy calls at \$150.00 per Coroner's case effective January 1, 2006; and

WHEREAS: Cases that require autopsies have significantly increased over the years and are requiring much more intense procedures and in-depth paperwork than in prior years; therefore be it

RESOLVED: That the rate for autopsy calls be increased from \$150.00 per Coroner's case to \$200.00 per Coroner's case effective January 1, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 290-17 *FIX TIME OF
ORGANIZATIONAL MEETING*

RESOLVED: That the Organizational Meeting of this Legislature be held at 9:00 A.M., Tuesday, January 2, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 291-17 *YEAR END TRANSFERS*

RESOLVED: That unencumbered balances of appropriation accounts, unanticipated revenue fund balances in the amount equal to the sum of overdrawn appropriation accounts in all funds be, and hereby are appropriated to overdrawn accounts; and be it further

RESOLVED: That the County Treasurer is hereby authorized and directed to effect this resolution.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 292-17 *AUTHORIZE TREASURER TO
ENCUMBER FUNDS*

RESOLVED: That the County Treasurer be and hereby is authorized to encumber whatever funds he deems necessary, subject to the approval of the Finance Committee; and be it further

RESOLVED: That said funds be encumbered before December 31, 2017 to allow proper coding of bills for payment in January.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 293-17 *ADOPT COUNTY BUDGET FOR 2018,
APPROPRIATIONS AND SALARY
SCHEDULE*

RESOLVED: That the tentative budget for Tioga County for the year 2018 submitted by the Budget Officer on November 15, 2017 and approved by the Finance Committee be, and the same hereby is adopted as the official Budget for the year 2018; and be it further

RESOLVED: That the several amounts specified in such budget as to the total for the several objects as set forth in Schedule 1 therein be appropriated for such objects, effective January 1, 2018; and be it further

RESOLVED: That the full time Salary Schedule 5 set forth in the budget be adopted effective January 1, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 294-17 *TOWN TAX LEVY*

WHEREAS: There has been presented to this Legislature a duly certified copy of the annual Budgets of each of the several Towns of the County of Tioga for the fiscal year beginning January 1, 2018; be it

RESOLVED: That there shall be, and there is, assessed against and levied upon and collected from the taxable property situate in the following Towns outside

the incorporated Villages or partially located therein, the amounts indicated for Town purposes as specified in the Budgets of the respective Towns as follows:

<u>Part Town</u>	<u>General Outside</u>	<u>Highway Outside</u>
Barton	-	-
Candor	35,070	249,937
Newark Valley	21,826	920
Nichols	-	91,225
Owego	-	2,121,099
Spencer	39,220	460,266

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within the respective Fire and Fire protection Districts in the Towns, the following amounts for the purposes of such Districts as specified on their annual Budgets:

Town of Barton	
Halsey Valley Fire Protection	19,004.67
Lockwood Fire Protection	41,955.07
Waverly Joint Fire Protection	271,920.00
Town of Berkshire	
Berkshire Fire District	135,748.00
Town of Candor	
Candor Fire District	439,015.00
Town of Newark Valley	
Newark Valley Fire District	263,128.24
Town of Nichols	
Nichols Joint Fire Protection	227,070.00
Town of Owego	
Apalachin Fire District	996,736.00
Owego Fire District	1,505,494.27
Newark Valley Fire District	36,771.76
Town of Richford	
Richford Fire District	103,050.00

Town of Spencer	
Spencer Fire Protection District	75,000.00
Town of Tioga	
Tioga Fire District	272,113.00

Further

RESOLVED: That there shall be, and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore within certain sewer, water and lighting Districts in the Town of Owego and the amounts specified in their annual budgets as follows:

Water District No. 4/Ext. 13	11,560
Water District No. 4/Ext. 15	10,295
Water District No. 4/Ext. 17	21,600
Water District No. 4/Ext. 20	19,600
Sewer District No. 2/Ext. 14	12,364
Sewer District No. 2/Ext. 15	12,313
Lighting District No. 1	6,085
Lighting District No. 2	12,519
Lighting District No. 3	12,497
Lighting District No. 4A	1,964
Lighting District No. 4B	1,117
Lighting District No. 5	7,907
Lighting District No. 6	16,281
Lighting District No. 7	2,279
Lighting District No. 8	1,419
Lighting District No. 9	656
Lighting District No. 10	914

Further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Owego returned sewer and water rents in the amount of \$310,038.81; be it further

RESOLVED: That there shall be and there hereby is, assessed against and levied upon and collected from the taxable property liable therefore in the Town of Barton returned sewer and water rents in the amount of \$3,065.05; be it further

RESOLVED: That the amounts to be raised by tax for all other purposes as specified in the several annual Budgets shall be, and they hereby are, assessed

against and levied upon and collected from the taxable properties in the Towns except as otherwise provided by law as follows:

<u>Townwide</u>	<u>General</u>	<u>Highway</u>
Barton	206,800	521,200
Berkshire	83,605	338,100
Candor	456,936	736,257
Newark Valley	273,926	369,900
Nichols	-	218,957
Owego	885,900	-
Richford	239,054	438,286
Spencer	321,935	144,327
Tioga	248,470	574,398

Further

RESOLVED: That such taxes and assessments, when collected, shall be paid to the Supervisors of the several Towns in the amounts as shown by this resolution for distribution by them in the manner provided by law.

Legislator Monell made a motion to amend the above resolution, seconded by Legislator Sullivan and to read as follows:

Change next to last Resolved Tioga Highway from 574,398 to "563,352".

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

AMENDED RESOLUTION APPROVED

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: FINANCE COMMITTEE

RESOLUTION NO. 295-17 COUNTY TAX LEVY

WHEREAS: This Legislature by Resolution No. 293-17 dated December 12, 2017 adopted a Budget for the fiscal year 2018 and by Resolution No. 293-17 dated December 12, 2017 has made appropriations for the conduct of the County Government during said fiscal year and has by Resolution No. 294-17 dated December 12, 2017 levied the taxes required for the support of the Government of the several Towns; therefore be it

RESOLVED: That this Legislature hereby levies the following for recycling purposes, upon the taxable real property liable therefore, in the County upon valuation as heretofore equalized by it.

Barton	180,725.93
Berkshire	31,502.51
Candor	120,382.17
Newark Valley	76,182.93
Nichols	68,147.52
Owego	514,205.40
Richford	28,699.35
Spencer	78,813.52
<u>Tioga</u>	<u>111,204.67</u>
Total	1,209,864.00

And be it further

RESOLVED: That pursuant to Section 360 of the County Law and Section 900 of the Real Property Tax Law, this Legislature hereby levied the following for County purposes, excluding Solid Waste set forth above, upon the taxable real property in the County upon valuation as heretofore equalized by it.

Upon all the taxable property liable for the support of County Government, the sum of \$22,440,135.93 and in addition thereto upon the real property liable therefore, and following taxes:

For Returned Village Taxes	511,960.11
For School Tax Returned	3,737,142.81
For Deficits from prior years' taxes	.53

For Reimbursement of Erroneous taxes, etc.	448.72
All of the forgoing being subject to credit for excess collection the prior year of	24.67

Further

RESOLVED: That the County Treasurer's Department be directed to extend the taxes as aforesaid and also the taxes for Town purposes set forth in Resolution No. 294-17 on the rolls of the several Towns against each parcel of property set forth in said rolls, and that the Chair and the Clerk of the County Legislature be directed and empowered to execute under the seal of this Legislature the several Tax warrants for the collection of said taxes, and to cause the several tax rolls with said warrants annexed to be delivered to the Collectors of the several Tax Districts of the County on or before December 31, 2017; and be it further

RESOLVED: That the tax rates for each of the Towns, excluding Solid Waste, are as follows:

Barton	Out	10.176337
	In	10.176337
Berkshire		8.638512
Candor	Out	8.806713
	In	8.806713
Newark Valley	Out	12.348113
	In	12.348113
Nichols	Out	35.871802
	In	35.871802
Owego	Out	11.359599
	In	11.359599
Richford		6.885465
Spencer	Out	9.026714
	In	9.026714
Tioga		130.902367

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 296-17 TRANSFER OF FUNDS
BUDGET MODIFICATION
MENTAL HYGIENE

WHEREAS: Tioga County Mental Hygiene (TCMH) is required to pay a portion of the costs for the treatment of Tioga County residents that have been assigned Criminal Psychiatric services by the NYS Court system; and

WHEREAS: TCMH has received notice that Tioga County residents were assigned these services, along with the required payment amount; and

WHEREAS: TCMH has determined the amount of additional funding needed for these already incurred mandated expenses within its own budget, yet this will require a budget modification and transfer of funds; and

WHEREAS: Transfer of funds requires Legislative approval; therefore be it

RESOLVED: That the Mental Hygiene budget be modified and funds be transferred as follows:

From:	A4310 540140	Mental Hygiene-Contracting Services	\$2,590.00
To:	A4390 540590	Criminal Psychiatric: Services Rendered	\$2,590.00

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
FINANCE COMMITTEE

RESOLUTION NO. 297-17 AMEND BUDGET AND TRANSFER AN
APPROPRIATION OF FUNDS
PUBLIC HEALTH

WHEREAS: The costs of the mandated Education of Handicapped Education program (children 3-5 years of age) are larger than the budgeted 2017 amounts; and

WHEREAS: Additional funding is needed to meet the mandated costs; and

WHEREAS: Public Health has determined the amount of additional funding needed through the balance of 2017; and

WHEREAS: The Treasurer has identified available funds within the Community College Tuition account; and

WHEREAS: The additional costs will result in additional state aid reimbursement; and

WHEREAS: Budget Amendments and Appropriation of Funds require Legislative approval; therefore be it

RESOLVED: That funding be transferred and appropriated as follows:

From:		
A2960 434600	State Aid: Handicapped Education	\$ 91,630
A2490 540487	Community College Tuition	\$ 62,370

To:		
A2960 540590	Handicapped Ed: Services Rendered	\$154,000

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 298-17 *TRANSFER OF FUNDS
FROM CONTINGENCY ACCOUNT TO
ASSIGNED COUNSEL*

WHEREAS: The Assigned Counsel budget has had a high number of cases for 2017 and the Assigned Counsel account will not have sufficient funds for the remainder of 2017; and

WHEREAS: Funds will need to be transferred from the Contingency Account to the Assigned Counsel Account to accommodate the increase in cases for 2017; therefore be it

RESOLVED: That the Tioga County Legislature authorizes a transfer as follows:

From: A1990 540715 Contingency Account \$10,000

To: A1172 540030 Assigned Counsel \$10,000

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC SAFETY COMMITTEE
 RESOLUTION NO. 299-17 TRANSFER OF FUNDS WITHIN THE JAIL BUDGET

WHEREAS: Funding for inmate "Meals/Food" will soon be depleted; and

WHEREAS: Contingency funding previously requested and granted for Contracting Services within the Jail Budget remain unspent; and

WHEREAS: It will be necessary to replenish the inmate "Meals/Food" account to finish the fiscal year, therefore be it

RESOLVED: That the following funds be transferred to re-appropriate the inmate "Meals/Food" account as follows:

From: A3150 540140	Contracting Services	\$ 15,000
To: A3150 540360	Meals/Food	\$ 15,000

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE
 FINANCE COMMITTEE
 RESOLUTION NO. 300-17 TRANSFER FUNDS/FUND SELF-INSURANCE PLAN RESERVE

WHEREAS: Tioga County Local Law No. 2 of 2015 established a Contributed Reserve cap of \$6,000,000 for the Tioga County Self Insurance Plan; and

WHEREAS: Tioga County Local Law No. 2 of 2015 allows for the transfer of surplus funds from the fund balance to the reserve; and

WHEREAS: The 2016 Tioga County Self Insurance operating budget had surplus funds of \$215,831.59 in the fund balance; and

WHEREAS: The December 31, 2016 Tioga County Self Insurance Plan Fund Balance is \$1,182,157.01; and

WHEREAS: The December 31, 2016 Tioga County Self Insurance Contributed Reserve Fund is \$1,979,647.76; therefore be it

RESOLVED: That the Tioga County Treasurer is authorized to transfer funds as follows:

From: Self-Insurance Fund Balance S390900	\$215,831.00
To: Self-Insurance Contributed Reserve Fund S375300	\$215,831.00

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Weston.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 301-17

RESOLUTION TO APPROVE A CONTRACT BETWEEN THE TIOGA CO. PROBATION DEPT. & THE FAMILY AND CHILDREN'S SOCIETY TO PROVIDE ADULT & JUVENILE SEXUAL OFFENDER TREATMENT SERVICES

WHEREAS: The Legislature approved a contract between Tioga County Probation Department and The Family and Children's Society for the provision of adult and juvenile sex offender treatment in 2018; and

WHEREAS: The Family and Children's Society contract with Tioga County Probation provides for a total of 21 sexual offender slots as follows: 16 adult assessment and treatment slots; 10 adult safety monitor education slots; 5 juvenile offender assessment and treatment slots and 10 parent safety monitor education slots for a cost of \$123,840 annually; now therefore be it

RESOLVED: That the Probation Director is approved to contract in 2018 with The Family and Children's Society to provide adult sexual offender assessment and treatment, juvenile sexual offender assessment and treatment and educational sessions for adult supervisors and parent supervisors in the amount of \$123,840 annually, upon approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGAL/SAFETY COMMITTEE

RESOLUTION NO. 302-17 *RENEW CONTRACT
PARTNERS IN SAFETY, INC.
(CDL DRUG & ALCOHOL TESTING)*

WHEREAS: Federal Law requires random drug and alcohol testing of CDL drivers performing "safety sensitive" tasks; and

WHEREAS: The Safety Department has coordinated with several of the Towns and Villages within Tioga County to have this testing done by an outside agency since 1995; therefore be it

RESOLVED: That the Tioga County Legislature authorizes the Chair of the Legislature, pending approval by the County Attorney, to renew the contract

with Partners in Safety, Inc. for random drug and alcohol testing in accordance with Federal regulations at the following rates indicated:

Complete DOT Random Testing Program \$35.00 Per Employee Per Year

To Include:

- Random Selection of Employees (25% for drug, 10% for alcohol)
- All Random Drug & Alcohol Tests
- Record Management
- DOT Audit Assistance
- Regulatory Updates
- Blind Specimen Submissions
- MIS Reports
- Supervisor Training for Reasonable Cause
- Collection Site Management

ADDITIONAL CHARGES: For pre-employment, post-accident, reasonable cause or follow-up tests performed during business hours:

Drug Test (at lab or office of Partners in Safety):	\$48.00 per test
Drug Test (at Walk-In Medical Facilities, Hospitals, etc.):	\$75.00 per test
Breath Alcohol Test:	\$40.00 per test
DOT/19A Physicals (at the office of Partners in Safety):	\$55.00 per person
Emergency Service	\$150 per hour
	Minimum 2 hours
	plus the cost of the test

Split Specimen Testing (re-test of positive specimen by other SAMHSA certified lab, including shipping and maintenance of chain of custody; only when requested by employee within 72 hours of MRO's notification): \$250.00

On-site 19A/DOT physicals available upon request (minimum volume required).

Additional services are billed monthly. Payment is due prior to the 30th of the month following the month in which services were provided.

and be it further

RESOLVED: That this contract shall be effective January 1, 2018 through December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: ED&P COMMITTEE

RESOLUTION NO. 303-17 *RESOLUTION TO RENEW CONSULTANT CONTRACT FOR HAZARD MITIGATION PLAN COORDINATOR FOR 2018*

WHEREAS: Per resolution 193-12 and resolution 218-13, the Tioga County Legislature contracted with the Tioga County Soil & Water Conservation District to perform the Hazard Mitigation Plan Coordinator services for calendar year 2013 based on a mutually agreeable work plan with specific tasks; and

WHEREAS: The Tioga County Planning Department still does not have the existing capacity to perform these FEMA-required services; and

WHEREAS: The Tioga County Planning Department has sufficient funds in the 2017 budget to cover these expenses, in the amount of \$20,000 from Planning Appropriation account A8020 540140; therefore be it

RESOLVED: That the Tioga County Legislature does hereby authorize the renewal of said contract with Tioga County Soil & Water Conservation District, to perform Hazard Mitigation Coordinator services from January 1 - December 31, 2018, not to exceed \$20,000 from Planning Appropriation account A8020 540140, and authorizes the Tioga County Legislative Chair to sign all related contract paperwork, contingent upon review and approval of the County Attorney.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 304-17 *HOME RULE REQUEST FOR AMENDMENT OF NEW YORK STATE CORRECTIONS LAW 500-C TO AUTHORIZE THE TIOGA COUNTY CORRECTIONAL FACILITY TO HOLD PERSONS UNDER ARREST FOR ARRAIGNMENT IN ANY COURT LOCATED IN TIOGA COUNTY SHERIFF'S OFFICE*

WHEREAS: Pursuant to New York Corrections Law § 500-c, The Tioga County Sherriff may not house persons arrested and detained prior to arraignment; and

WHEREAS: The Tioga County Sherriff has adequate facilities and procedures to house said persons prior to arraignment; and

WHEREAS: Detention of said persons prior to arraignment is in the best interest of promoting public safety and efficient use of law enforcement resources; and

WHEREAS: Pursuant to Article IX of the Constitution of the State of New York, it is necessary for this Legislature to enact a Home Rule Request for the purposes of said legislation; therefore be it

RESOLVED: That the Tioga County Legislature hereby urges our State Legislators, Senator Fred Akshar, and Assemblyman Christopher S. Friend to prepare a Home Rule Statute amending Section 500-c of the New York Corrections Law to include language stating that the Tioga County Correctional Facility may be used for the detention of persons prior to arraignment in any court located in Tioga County.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	ED&P COMMITTEE
RESOLUTION NO. 305-17	<i>APPOINT AT-LARGE MEMBER TO THE STERPDB REGIONAL BOARD</i>

WHEREAS: The by laws of the Southern Tier East Regional Planning Development Board (STERPDB) require the composition of the membership from each county to be 1) a county legislator, 2) a local elected official, another county legislator or an at-large and 3) the County Planning Director; and

WHEREAS: Jason Bellis has served in the at-large position on the STERPDB Regional Board for a full four-year term, which expires on 12/31/2017, and no longer wishes to serve in this capacity; and

WHEREAS: The STERPDB Regional Board is desirous of replacing at-large members with economic development local officials as terms expire; and

WHEREAS: Tioga County ED&P has found Teresa Saraceno, Deputy Director of Economic Development, willing and able to fill this position; therefore be it

RESOLVED: That the Tioga County Legislature hereby appoints Teresa Saraceno to Tioga County's at-large position on the Southern Tier East Regional Planning Development Board for a four-year term of 1/1/2018 – 12/31/2021.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 306-17 *APPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH*

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: Vincent Leonti, MD, resigned from the Board of Health 4/21/2017; and

WHEREAS: The appointed term for Vincent Leonti on the Board of Health expires 12/31/2020; and

WHEREAS: Erica Haray-Butcher, MS, has agreed to fill the unexpired term of Vincent Leonti; therefore be it

RESOLVED: That Erica Haray-Butcher, MS, be appointed to the Board of Health to fill the unexpired term of Vincent Leonti, MD, for a term of 12/21/2017-12/31/2020.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 307-17 REAPPOINT MEMBER TO THE TIOGA COUNTY BOARD OF HEALTH

WHEREAS: Section 344 of the Public Health Law requires that members of the Board of Health shall serve six (6) year staggered terms; and

WHEREAS: The appointed term for Joseph Picco, DDS, on the Board of Health expires 12/31/17; and

WHEREAS: Dr. Picco has agreed to serve for another term; therefore be it

RESOLVED: That Joseph Picco, DDS, be re-appointed to the Board of Health for a term of 1/1/18-12/31/23.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PUBLIC SAFETY COMMITTEE

RESOLUTION NO. 308-17 APPOINT FREEDOM OF INFORMATION OFFICER

WHEREAS: The Tioga County Sheriff's Office handles a significant number of Freedom of Information requests; and

WHEREAS: Lieutenant Casey Rhodes who was the designated Freedom of Information Officer for the Sheriff's Office will soon retire from service; therefore be it

RESOLVED: That Lieutenant Rich Hallett of the Tioga County Sheriff's Office be and hereby is appointed Freedom of Information Officer for Tioga County to handle the Freedom of Information requests received by the Tioga County Sheriff's Office, effective December 22, 2017; and be it further

RESOLVED: That in the event the Freedom of Information Officer makes a personal request for information, said request shall be reviewed by the County Attorney.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Weston moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: AGRICULTURE COMMITTEE

RESOLUTION NO. 309-17 RE-APPOINT MEMBER TO THE TIOGA COUNTY
AGRICULTURAL AND FARMLAND PROTECTION
BOARD

WHEREAS: Pam Moore's term on the Agricultural and Farmland Protection Board as an Active Farmer expires as of 12/31/2017; and

WHEREAS: The Agricultural and Farmland Protection Board is desirous of filling this position and said Board member is willing and able to serve another term; therefore be it

RESOLVED: That the Tioga County Legislature hereby reappoint Pam Moore to the Agricultural and Farmland Protection Board, for the four-year term of 1/1/18 – 12/31/21.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE

RESOLUTION NO. 310-17 *RESOLUTION APPOINTING
NEW MEMBER TO COMMUNITY
SERVICES BOARD*

WHEREAS: Carolyn Galatzan has agreed to become a new member; and

WHEREAS: The Community Services Board has recommended Carolyn's appointment; and

WHEREAS: Section Article 41.11 (d) of the Mental Hygiene Law allows counties to determine the length of term of Community Services Board members; therefore be it

RESOLVED: That Carolyn Galatzan be appointed a returning member to the Community Services Board, for term starting January 1, 2018 and ending December 31, 2021.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 311-17 *AUTHORIZE CONTRACT RENEWAL
CSEA EMPLOYEE BENEFIT FUND*

WHEREAS: Resolution #276-11 authorized a contract with CSEA Benefit Fund to administer Solstice Vision and Dental plans for CSEA and Non-Union employees; and

WHEREAS: The Dental and Vision plans are contractual benefits for CSEA employees, to be continued for 2018; therefore be it

RESOLVED: That the Chair of the Legislature is hereby authorized to sign a contract, subject to review by the County Attorney, with CSEA Employee Benefit Fund for the purpose of facilitating the Solstice Dental and Solstice Vision plans for the period of January 1, 2018 – December 31, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: ADMINISTRATIVE SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 312-17 *AUTHORIZE 2018 SALARIES (BOARD OF ELECTIONS)*

WHEREAS: The salaries for employees of the Board of Elections are set by resolution; and

WHEREAS: Non-Union staff have been authorized a salary increase for 2018; therefore be it

RESOLVED: That the 2018 rates of pay for the Board of Elections staff shall be as follows:

	<u>2018 pay:</u>
Commissioners (2)	\$42,181.00/yr.
Deputy Commissioners (2)	\$34,156.00/yr.
Voting Machine Technicians (2)	\$ 16.52/hr.
Election Workers (4)	\$ 12.64/hr.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Standinger, Sullivan and Weston.

No – Legislators Roberts, Hollenbeck and Huttleston.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO: LEGISLATIVE WORKSESSION
PERSONNEL COMMITTEE

RESOLUTION NO. 313-17 APPOINTMENT OF
PART-TIME INFORMATION SECURITY OFFICER
LEGISLATIVE OFFICE

WHEREAS: Tioga County Policy 43 requires the Legislature to appoint annually, a part-time Information Security Officer who will be responsible for implementing and monitoring a consistent data security program; therefore be it

RESOLVED: That Susan Haskett shall be appointed to the part-time Information Security Officer position for 2018 and will be compensated at an annual rate of \$5,150 per year.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: HEALTH & HUMAN SERVICES COMMITTEE
PERSONNEL COMMITTEE

RESOLUTION NO. 314-17 *AUTHORIZE THE REAPPOINTMENT OF
SHAWN L. YETTER AS COMMISSIONER OF
SOCIAL SERVICES*

WHEREAS: Commissioner Shawn L. Yetter's current appointment, effective January 21, 2013, will expire on January 20, 2018; and

WHEREAS: Pursuant to the Social Services Law of the State of New York, Article Three, Section 116, Paragraph 1 which states: "Any inconsistent provision of the law, notwithstanding, the position of the chief executive officer of the county or city social services department, whether referred to as commissioner or by other title, shall be in the non-competitive class of civil service, except any which is or may hereafter be in the competitive class. Appointments to such positions in the non-competitive class shall be for terms of five years and shall be made by the appropriate county or city body or officer."; and

WHEREAS: The Legislature is well pleased with Commissioner Shawn L. Yetter's performance, experience and qualifications and desires to reappoint him as the Tioga County Commissioner of Social Services; now therefore be it

RESOLVED: That Shawn L. Yetter be and hereby is reappointed as Tioga County Commissioner of Social Services for a fourth five-year term effective January 21, 2018 through January 20, 2023.

Legislator Standinger spoke. "I just want to say that I think Shawn has done a fine job and I hope he continues five more years."

Legislator Sullivan spoke. "I would like to say Shawn could not be more deserving, I know I personally rely on Shawn very heavily to give us the straight scoop on things and I lean on him for his advice and counsel, and I appreciate what you do Shawn."

Legislator Huttleston spoke. "We go back a long ways and when we made the appointment it was the best appointment that we made and it certainly was deserving and Shawn has proven that over the years prior to when he was Commissioner and then presently. He certainly does a good job. The

nicest thing about Shawn I think is when you go out there for anything they have a lot of things where they recognize different employees. There is not a person that works out there that has ever told me a bad thing about Shawn Yetter and I think that is great. When you can hire people and boss them and they still like you that is great. Thank you."

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Monell.

REFERRED TO:

PERSONNEL COMMITTEE
FINANCE/LEGAL COMMITTEE

RESOLUTION NO. 315-17

*AUTHORIZE APPOINTMENT OF 3RD ASSISTANT
DISTRICT ATTORNEY
DISTRICT ATTORNEY'S OFFICE*

WHEREAS: Legislative approval is required for any appointment to a non-union position within Tioga County; and

WHEREAS: The 3rd Assistant District Attorney position became vacant on October 13, 2017; and

WHEREAS: The District Attorney has identified a qualified candidate to fill this vacancy; therefore be it

RESOLVED: That Sandra Cardone is hereby appointed to the title of 3rd Assistant District Attorney at an annual, non-union salary of \$65,000 effective January 2, 2018.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 317-17 *2018 STAFF CHANGES
ECONOMIC DEVELOPMENT AND
PLANNING DEPARTMENT*

WHEREAS: The Economic Development and Planning Department requested staffing changes as part of the 2018 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2018:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
VACANT		Economic Development Specialist (PT)	+\$19,500

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Standinger moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 318-17 *2018 STAFF CHANGES
EMERGENCY PREPAREDNESS*

WHEREAS: Resolution 252-17 created the Department of Emergency Services, which is intended to replace the Emergency Preparedness Department; and

WHEREAS: Subsequent staffing changes were part of the 2018 Budget process and those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2018:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
Michael Simmons	Deputy Director of Emergency Preparedness (PT)	Abolish	-\$5,200
Robert Williams	Deputy Director of Emergency Preparedness (PT)	Abolish	-\$5,200
VACANT	Director of Emergency of Emergency Preparedness (PT)	Abolish	-\$22,601

and be it further

RESOLVED: That the Department of Emergency Preparedness is hereby abolished effective January 1, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 319-17
 2018 STAFF CHANGES
 DEPARTMENT OF
 EMERGENCY SERVICES

WHEREAS: The Department of Emergency Services requested staffing changes as part of the 2018 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2018:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
VACANT (New)	Director of Emergency Services	Non-union	+\$59,000
VACANT (New)	Deputy Director of Emergency Services (PT)	Non-union	+\$26,000

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standing, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standing.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 320-17 *2018 STAFF CHANGES
BUREAU OF FIRE*

WHEREAS: Resolution 252-17 created the Department of Emergency Services, which is intended to replace the Emergency Preparedness Department and the Department of Fire; and

WHEREAS: Subsequent staffing changes were part of the 2018 Budget process and those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2018:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
Frank Okrasinski	Fire Coordinator (PT)	Abolish	-\$12,240
Kevin Ford	Assistant Fire Coordinator (PT)	Abolish	-\$4,416
Larry Singleton	Assistant Fire Coordinator (PT)	Abolish	-\$4,416
Stephen Fedorowicz	Assistant Fire Coordinator (PT)	Reduce Salary	-\$2,000
Robert Williams	Assistant Fire Coordinator (PT)	Abolish	-\$2,652

and be it further

RESOLVED: That the Department of Fire is hereby abolished effective January 1, 2018, and all remaining Assistant Fire Coordinators shall be allocated to the Department of Emergency Services effective January 1, 2018.

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Sullivan.

REFERRED TO:

PERSONNEL COMMITTEE

RESOLUTION NO. 321-17

*2018 STAFF CHANGES
INFORMATION TECHNOLOGY AND
COMMUNICATION SERVICES
DEPARTMENT*

WHEREAS: The Information Technology and Communication Services Department requested staffing changes as part of the 2018 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2018:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
Drew Griffin	Software Support Liaison (NU)	Deputy Director of IT&CS (NU)	+\$10,000
VACANT (New)		GIS Technician FT	+\$37,427

Legislator Sullivan made a motion to amend the above resolution, seconded by Legislator Monell and to read as follows:

Change Deputy Director of IT&CS (NU) from +\$10,000 to “+\$4,634”.

ROLL CALL VOTE ON AMENDMENT

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

AMENDED RESOLUTION APPROVED

ROLL CALL VOTE ON RESOLUTION AS AMENDED

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: PERSONNEL COMMITTEE

RESOLUTION NO. 322-17 2018 STAFF CHANGES
PUBLIC HEALTH DEPARTMENT

WHEREAS: The Public Health Department requested staffing changes as part of the 2018 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective the close of business on December 22, 2017:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
Nancy Mastro Robert Morley VACANT (2)	Mail Clerk (PT) (4)	Abolish	\$0

and be it further

RESOLVED: That the following staffing changes are effective January 1, 2018:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
VACANT	Public Health Technician (Grade 7)	Unfunded	-\$33,514
VACANT	Accounting Associate I (Grade 4)	Fund	+\$25,946

Legislator Monell moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: PERSONNEL COMMITTEE
 FINANCE COMMITTEE

RESOLUTION NO. 325-17 2018 STAFF CHANGES
 TREASURER'S DEPARTMENT

WHEREAS: The Treasurer's Department requested staffing changes as part of the 2018 Budget process; and

WHEREAS: Those changes were approved by the County Legislature; therefore be it

RESOLVED: That the following staffing changes are effective January 1, 2018:

Name	Current Title/ Salary Grade	New Title/ Salary Grade	Budget Impact
Janice Yuricek	Account Clerk Typist (PT)	Accounting Associate III (PT)	+\$1502

ROLL CALL VOTE

Yes – Legislators Monell, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Mullen.

RESOLUTION ADOPTED.

The meeting was adjourned at 6:31 P.M.

Sixth Special Meeting
December 19, 2017

The Sixth Special Meeting of 2017 was called to order by the Chair at 10:15 A.M. Eight Legislative members were present, Legislator Monell being absent.

Chair Sauerbrey asked Legislator Weston to have a moment of prayer. "I would like to have a moment of silence for the people who have been displaced and lost everything in Puerto Rico and we hope that they can get back on their feet."

Legislator Weston led all Legislators and those in attendance in the Pledge of Allegiance.

There were 2 people in attendance.

Legislator Sullivan moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO:	LEGAL/FINANCE COMMITTEE PERSONNEL COMMITTEE
RESOLUTION NO. 326-17	<i>AUTHORIZE RETAINER AGREEMENT FOR PERSONNEL SERVICES</i>

WHEREAS: The hiring of outside counsel appears to be necessary and appropriate for comprehensive personnel services; and

WHEREAS: The law firm of Roemer, Wallens, Gold & Mineaux LLP has proposed a retainer agreement to provide Tioga County with said comprehensive personnel services; therefore be it

RESOLVED: That the Chair of the Legislature is authorized to execute a retainer agreement with the law firm of Roemer, Wallens, Gold & Mineaux LLP, retaining their services from January 1, 2018 through December 31, 2020 for comprehensive personnel services as set forth in said retainer agreement.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Mullen.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 327-17 *AUTHORIZE APPOINTMENT:
DIRECTOR OF EMERGENCY SERVICES*

WHEREAS: Resolution #252-17 created the Department of Emergency Services effective January 1, 2018, thereby eliminating the Fire Bureau and the Emergency Management Department; and

WHEREAS: The full-time position of Director of Emergency Services was duly advertised and posted and qualified candidates were interviewed; and

WHEREAS: The interview committee has made a recommendation to the full Legislature who supports the recommendation; therefore be it

RESOLVED: That Michael Simmons is hereby appointed provisionally, pending jurisdictional classification, to the full-time (35 hr/week) Director of Emergency Services position effective January 1, 2018 at an annual salary of \$59,000.

Legislator Mullen spoke. "I want to thank the search/interview committee. I think we picked a very highly qualified candidate and I want to thank all the Legislators for the drive to go from part-time to full-time Emergency Services. I know it was not an easy thing to do, it cost us some more money, but I think we did the right thing for the people and public safety in Tioga County. I just wanted to say thank you as the Chair of Public Safety."

Legislator Weston spoke. "I just would like to put my two cents in. I vote for it, but I just want people to remember the caveat that we had, that we were going to get a return on our monies because of having the setup the way it was there were going to be more grants available and we would qualify for more grants by having a singular head as opposed to the two split. We were supposed to look at that within a year I believe."

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Mullen moved for the adoption of the following resolution, seconded by Legislator Hollenbeck.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 328-17 *AUTHORIZE SALARY DEPUTY
DIRECTOR OF EMERGENCY SERVICES (PT)*

WHEREAS: Resolution 252-17 created the Department of Emergency Services effective January 1, 2018; and

WHEREAS: Vacancy postings for both the Director and Deputy Director positions were issued in November; and

WHEREAS: A Director was selected by the Legislature and now the Director has reviewed the Deputy Director applications and selected a Deputy Director; therefore be it

RESOLVED: That an annual salary of \$26,000 is hereby authorized effective January 2, 2018 for Robert Williams as part-time (17hrs/week) Deputy Director of Emergency Services.

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

Legislator Hollenbeck moved for the adoption of the following resolution, seconded by Legislator Standinger.

REFERRED TO: LEGISLATIVE WORKSESSION

RESOLUTION NO. 329-17 *RATIFY COLLECTIVE BARGAINING
AGREEMENT (CSEA)*

WHEREAS: Tioga County and CSEA Unit #8850 have been negotiating a successor agreement to the 2015-2017 collective bargaining agreement; and

WHEREAS: The parties reached agreement on a contract for the period 2018-2020; and

WHEREAS: The CSEA members ratified the agreement at a vote on December 18, 2017; therefore be it

RESOLVED: That the County Legislature hereby ratifies the 2018-2020 collective bargaining agreement; and be it further

RESOLVED: That the Chair of the Legislature, along with the Sheriff, is authorized to sign the Agreement as a joint employer; and be it further

RESOLVED: That the County Legislature does hereby agree to implement the funds necessary to carry out the terms and provisions of said contract.

Legislator Mullen spoke. “Just another thank you, especially to Bethany for all the hard work that she put in and all of the labor contracts that we went through. We had a long hard year and thank you and thank you to all the people upstairs. You did a great job this year in a very difficult situation. The County is in good shape for the next couple of years.”

Legislator Standinger spoke. "I would just like to add that I am glad that we have those labor issues resolved, at least for a couple of years by ratifying those contracts."

ROLL CALL VOTE

Yes – Legislators Mullen, Sauerbrey, Roberts, Standinger, Sullivan, Weston, Hollenbeck and Huttleston.

No – None.

Absent – Legislator Monell.

RESOLUTION ADOPTED.

The meeting was adjourned at 10:15 A.M.

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